

# CITY OF SOLANA BEACH

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



## AGENDA

### Joint REGULAR Meeting

Wednesday, January 10, 2018 \* 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

**Ginger Marshall, Mayor**

**David A. Zito, Deputy Mayor**

**Jewel Edson, Councilmember**

**Judy Hegenauer, Councilmember**

**Mike Nichols, 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:**

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

*None at the posting of this agenda*

**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:**

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

Recommendation: That the City Council

1. Ratify the list of demands for November 25, 2017 through December 22, 2017.

[Item A.1. 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.*

**A.2. General Fund Adopted Budget for Fiscal Year 2017-2018 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

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

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**A.3. 2018 City Council Meeting Schedule Planning.** (File 0410-05)

Recommendation: That the City Council

1. Review, edit, and/or approve a 2018 interim schedule with proposed cancellations and/or additional meetings.

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

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**A.4. Circle Drive Sewer Pipeline Replacement, Bid 2017-10.** (File 1040-36)

Recommendation: That the City Council

1. Adopt **Resolution 2018-002**:
  - a. Awarding the construction contract to Burtech Pipeline, Inc., in the amount of \$532,226.20, for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10.
  - b. Approving an amount of \$80,000 for construction contingency.
  - c. Authorizing the City Manager to execute the construction contract on behalf of the City.
  - d. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
  - e. Authorizing an appropriation of \$130,540 from the Sanitation Fund into the project budget unit.
  - f. Authorizing the City Treasurer to amend the Fiscal Year 2017/18 Adopted Budget accordingly.

[Item A.4. 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.*

**A.5. Administrative Budget and Recognized Obligation Payment Schedule (ROPS) Approval.** (File 0115-30)

Recommendation: That the Successor Agency

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period July 1, 2018 to June 30, 2019.
2. Adopt **Resolution SA-020** approving the SA Administrative Budget for July 1, 2018 to June 30, 2019.
3. Adopt **Resolution SA-021** approving the ROPS 18-19 for July 1, 2018 to June 30, 2019.

[Item A.5. 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.*

**A.6. Temporary Staff Funding.** (File 0560-40)

Recommendation: That the City Council

1. Adopt **Resolution 2018-001** ratifying total expenditures for temporary staffing coverage in the amount of \$45,000 with Apple One.

[Item A.6. 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.*

**A.7. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held October 11, 2017, November 8, 2017 and November 15, 2017.

[Item A.7. 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.*

**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: 201 Lomas Santa Fe, Applicant: AT&T Mobility, Case 17-17-15.**  
(File 0610-60)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 (Development Review Permit). 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. Adopt **Resolution 2017-167** conditionally approving a CUP (Conditional Use Permit)/DRP/SDP (Structure Development Permit) for a new WCF (Wireless Cell Facility) and associated equipment located on the roof of an existing commercial office building at 201 Lomas Santa Fe, Solana Beach and provide direction to Staff as to which project alternative the Council is approving.

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

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**B.2. Public Hearing: 809 Seabright Lane, Applicants: Kadia / Parekh, Case 17-17-23.** (File 0600-40)

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 2018-003** conditionally approving a DRP and an SDP to demolish an existing single-story, single-family residence and construct a new two-story, 4,442 square foot single-family residence, remove and replace the roof on the existing detached 514 square foot garage and perform associated site improvements at 809 Seabright Lane, Solana Beach.

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

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

*Submit speaker slips to the City Clerk.*

**C.1. Adopt (2<sup>nd</sup> Reading) Ordinance 484 – Amending Section 17.80.020 of the Solana Beach Municipal Code Related to the Solana Beach Floodplain Overlay Zone to Comply with the National Flood Insurance Program.** (File 0850-20)

Recommendation: That the City Council

1. Adopt **Ordinance 484** amending the Solana Beach Floodplain Overlay Zone (Sections 17.80.020, 17.80.090 and 17.80.120) of the Solana Beach Municipal Code.

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

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**C.2. Council Boards, Committees, & Commissions Mid-Term Review.** (File 0410-05)

Recommendation: That the City Council

1. Review the Regional Boards/Commissions/Committees.
  - a. Determine the City Selection Committee 2018 annual term appointment, if any changes.
  - b. Make alternate appointments, if necessary.
2. Review Council Standing Committees and make alternate appointments, if necessary.

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

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**WORK PLAN COMMENTS:**

*Adopted June 14, 2017*

**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 (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities’ San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities’ Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities’ Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1<sup>st</sup> alternate), Nichols (2<sup>nd</sup> alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee – Marshall, Edson.

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

- a. Business Liaison Committee – Zito, Edson.
- b. Solana Beach-Del Mar Relations Committee – Nichols, Zito
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- d. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- e. I-5 Construction Committee – Zito, Edson.
- f. Parks and Recreation Committee – Nichols, Zito
- g. Public Arts Committee – Marshall, Hegenauer.
- h. School Relations Committee – Nichols, Hegenauer.

**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 January 10, 2018 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 January 3, 2018 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., January 10, 2018, 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, January 18, 2017, 6:30 p.m. (City Hall)
- **Climate Action Commission**  
Wednesday, January 17, 2018, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**  
Thursday, February 8, 2018, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**  
Tuesday, January 23, 2018, 5:30 p.m. (City Hall)
- **View Assessment Commission**  
Tuesday, January 16, 2018, 6:00 p.m. (Council Chambers)



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Finance  
**SUBJECT:** Register of Demands

## **BACKGROUND:**

Section 3.04.020 of the Solana Beach Municipal Code requires that the City Council ratify a register of demands which represents all financial demands made upon the City for the applicable period.

Register of Demands- 11/25/17 through 12/22/17

Check Register-Disbursement Fund (Attachment 1)		\$ 1,110,399.36
Net Payroll	December 1, 2017	142,997.00
Federal & State Taxes	December 1, 2017	40,759.67
PERS Retirement (EFT)	December 1, 2017	39,507.61
Council Payroll	December 7, 2017	3,575.07
Federal & State Taxes	December 7, 2017	349.89
PERS Retirement (EFT)	December 7, 2017	518.00
Retirement Payroll	December 14, 2017	9,701.00
Net Payroll	December 15, 2017	170,953.67
Federal & State Taxes	December 15, 2017	48,359.33
PERS Retirement (EFT)	December 15, 2017	40,961.51
		<hr/>
TOTAL		\$ <u>1,608,082.11</u>

## **DISCUSSION:**

Staff certifies that the register of demands has been reviewed for accuracy, that funds are available to pay the above demands, and that the demands comply with the adopted budget.

## **CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA.

## **FISCAL IMPACT:**

The register of demands for November 25, 2017 through December 22, 2017 reflects total expenditures of \$1,608,082.11 from various City funding sources.

CITY COUNCIL ACTION: _____
_____

**WORK PLAN:**

N/A

**OPTIONS:**

- Ratify the register of demands.
- Do not ratify and provide direction.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council ratify the above register of demands.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.

  
\_\_\_\_\_  
Gregory Wade, City Manager

Attachments:

1. Check Register – Disbursement Fund

CITY OF SOLANA BEACH, CA  
CHECK REGISTER - DISBURSEMENT FUND

PENTAMATION  
DATE: 12/21/2017  
TIME: 16:25:50

SELECTION CRITERIA: transact\_ck\_date between '20171125 00:00:00.000' and '20171222 00:00:00.000'  
ACCOUNTING PERIOD: 6/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	91463	11/30/17	4706	24 HOUR ELEVATOR, INC	00165006570	ELVTR MAINT-NOV	0.00	157.48
1011	91464	11/30/17	2906	ACE UNIFORMS & ACCESSORI	00160006120	BOOTS/SHRT/PNT-KUITE	0.00	974.01
1011	91465	11/30/17	1135	AFFORDABLE PIPELINE SERV	50900007700	N-SEWER CLEANING	0.00	1,100.00
1011	91465	11/30/17	1135	AFFORDABLE PIPELINE SERV	50900007700	O-SEWER CLEANING	0.00	2,565.00
1011	91465	11/30/17	1135	AFFORDABLE PIPELINE SERV	50900007700	C-SEWER CLN-56,009	0.00	26,504.50
1011	91465	11/30/17	1135	AFFORDABLE PIPELINE SERV	00165006520	H-STORM DRAIN MAINT	0.00	1,140.00
	TOTAL CHECK						0.00	31,309.50
1011	91466	11/30/17	2137	AFLAC	001	NOVEMBER 17	0.00	980.68
1011	91467	11/30/17	4794	AMR	27060006120	CSA17.18 TB TST/FLJ	0.00	214.00
1011	91468	11/30/17	1122	APPLE ONE, INC	00150005150	TEMP HELP PE 11/11	0.00	969.84
1011	91469	11/30/17	4832	AT&T CALNET 3	00160006120	9391059865 10/1-10/31	0.00	393.41
1011	91469	11/30/17	4832	AT&T CALNET 3	00160006120	9391059865 9/01-9/30	0.00	392.13
	TOTAL CHECK						0.00	785.54
1011	91474	11/30/17	1914	US BANK	00165006530	POST DRIVER PART	0.00	-185.00
1011	91474	11/30/17	1914	US BANK	00160006120	FUEL LINE-CHAINS	0.00	5.50
1011	91474	11/30/17	1914	US BANK	00160006120	PISTON STOP TOOL	0.00	6.90
1011	91474	11/30/17	1914	US BANK	00165006530	PWI WATER	0.00	7.28
1011	91474	11/30/17	1914	US BANK	00155005550	SANDAG MTG PARKING	0.00	8.00
1011	91474	11/30/17	1914	US BANK	00170007110	HOLIDAY TREE DECOR	0.00	9.46
1011	91474	11/30/17	1914	US BANK	00150005450	HOSTING DOMAINS-OCT	0.00	9.95
1011	91474	11/30/17	1914	US BANK	00160006120	KEY BOX IN FS	0.00	11.91
1011	91474	11/30/17	1914	US BANK	00150005200	CLOSED SESSION-9/27	0.00	11.99
1011	91474	11/30/17	1914	US BANK	27060006120	FUEL-E237-NAPA	0.00	13.57
1011	91474	11/30/17	1914	US BANK	00150005150	KEY TAGS	0.00	14.48
1011	91474	11/30/17	1914	US BANK	00160006120	CARBURETOR-CHAINS	0.00	14.99
1011	91474	11/30/17	1914	US BANK	00150005250	CLOSED SESSION-9/27	0.00	15.49
1011	91474	11/30/17	1914	US BANK	00160006120	NEW KEYS	0.00	15.62
1011	91474	11/30/17	1914	US BANK	00150005200	WALL CLOCK	0.00	16.99
1011	91474	11/30/17	1914	US BANK	00165006530	CAR WASH	0.00	16.99
1011	91474	11/30/17	1914	US BANK	00160006170	RUST EATER OIL	0.00	17.15
1011	91474	11/30/17	1914	US BANK	00150005150	KEYHOLDER	0.00	19.97
1011	91474	11/30/17	1914	US BANK	00160006120	SHIPPING-ROPE RETURN	0.00	21.49
1011	91474	11/30/17	1914	US BANK	00150005400	HEALTH FAIR FRUIT	0.00	21.98
1011	91474	11/30/17	1914	US BANK	00150005100	COUNCIL SUPPLIES	0.00	25.77
1011	91474	11/30/17	1914	US BANK	00160006170	MOP	0.00	26.94
1011	91474	11/30/17	1914	US BANK	00160006120	CLUTCH ASSEMBLY	0.00	27.95
1011	91474	11/30/17	1914	US BANK	00150005100	BUS CARDS-EDSON	0.00	29.08
1011	91474	11/30/17	1914	US BANK	00170007110	HALLOWEEN CANDY-LCCC	0.00	31.06
1011	91474	11/30/17	1914	US BANK	00150005150	AGENDA DELIVERY BAGS	0.00	31.17
1011	91474	11/30/17	1914	US BANK	00160006170	HEADSET SHIPPING	0.00	31.90
1011	91474	11/30/17	1914	US BANK	00160006120	E237-REPR DOOR LOCK	0.00	39.32
1011	91474	11/30/17	1914	US BANK	00160006120	LABEL MAKER TAPE	0.00	43.09
1011	91474	11/30/17	1914	US BANK	00150005450	CONSTANT CONTACT-SEPT	0.00	45.00
1011	91474	11/30/17	1914	US BANK	00160006120	WATER FOR RIGS	0.00	47.32
1011	91474	11/30/17	1914	US BANK	25560006180	WHEELS FOR DOLLY	0.00	52.25



SELECTION CRITERIA: transact\_ck\_date between '20171125 00:00:00.000' and '20171222 00:00:00.000'  
 ACCOUNTING PERIOD: 6/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	91474	11/30/17	1914	US BANK	00150005150	POCKET WALL HOLDERS	0.00	54.78
1011	91474	11/30/17	1914	US BANK	00150005150	LABLS/FEBREZE/TPE MSR	0.00	55.99
1011	91474	11/30/17	1914	US BANK	00150005150	BATTERIES	0.00	56.01
1011	91474	11/30/17	1914	US BANK	00170007110	CAMERA CARD/BATTERY	0.00	57.09
1011	91474	11/30/17	1914	US BANK	00170007110	CAMERA AND CASE	0.00	58.70
1011	91474	11/30/17	1914	US BANK	27060006120	FUEL-E237-NAPA	0.00	68.46
1011	91474	11/30/17	1914	US BANK	00150005400	WEBINAR-COMPENSATION	0.00	70.00
1011	91474	11/30/17	1914	US BANK	001	POUNEH-CALPELRA-12/05	0.00	71.80
1011	91474	11/30/17	1914	US BANK	00150005200	FLOWERS	0.00	74.80
1011	91474	11/30/17	1914	US BANK	00160006120	FUEL	0.00	78.34
1011	91474	11/30/17	1914	US BANK	00150005200	FLOWERS	0.00	79.65
1011	91474	11/30/17	1914	US BANK	00150005400	HEALTH FAIR SNACKS	0.00	83.86
1011	91474	11/30/17	1914	US BANK	00160006120	FUEL	0.00	85.00
1011	91474	11/30/17	1914	US BANK	00160006170	DRY ERASE/BINDR/LTTR	0.00	89.48
1011	91474	11/30/17	1914	US BANK	00150005100	CLOSED SESSION-10/11	0.00	89.78
1011	91474	11/30/17	1914	US BANK	00160006170	HOTSCHEDULES-OCT	0.00	90.00
1011	91474	11/30/17	1914	US BANK	00150005100	CLOSED SESSION-9/27	0.00	99.60
1011	91474	11/30/17	1914	US BANK	00150005150	ARCHIVE CONVSN SFTWRE	0.00	99.99
1011	91474	11/30/17	1914	US BANK	27060006120	FUEL-E237-NAPA	0.00	100.00
1011	91474	11/30/17	1914	US BANK	00160006120	AMAZON PRIME MEMBERSHP	0.00	106.67
1011	91474	11/30/17	1914	US BANK	00150005450	SHELVES	0.00	107.74
1011	91474	11/30/17	1914	US BANK	00150005150	POUNEH-CALPELRA-12/05	0.00	111.80
1011	91474	11/30/17	1914	US BANK	00150006120	LANYRD/CARABNR/FLAGS	0.00	117.58
1011	91474	11/30/17	1914	US BANK	27060006120	FUEL-E237-NAPA	0.00	120.51
1011	91474	11/30/17	1914	US BANK	00160006170	SCUBA EQUIP REPAIR	0.00	122.84
1011	91474	11/30/17	1914	US BANK	27060006120	FUEL-E237-NAPA	0.00	126.15
1011	91474	11/30/17	1914	US BANK	00160006170	F150-BATTER REPLACEMT	0.00	136.90
1011	91474	11/30/17	1914	US BANK	00150005400	HEALTH FAIR FOOD	0.00	139.96
1011	91474	11/30/17	1914	US BANK	00150005450	PC MAINTENANCE	0.00	158.00
1011	91474	11/30/17	1914	US BANK	00170007110	TREE EVENT ORNAMENTS	0.00	159.43
1011	91474	11/30/17	1914	US BANK	00160006170	CALENDARS	0.00	167.95
1011	91474	11/30/17	1914	US BANK	00160006120	SPRK PLUGS/FUEL FLTRS	0.00	171.83
1011	91474	11/30/17	1914	US BANK	00165006570	PW YARD GARAGE RPR	0.00	200.00
1011	91474	11/30/17	1914	US BANK	001	WADE-HOTEL-10/02	0.00	214.14
1011	91474	11/30/17	1914	US BANK	00160006170	BINOCULAR REPAIR	0.00	216.20
1011	91474	11/30/17	1914	US BANK	00160006120	CLNR/BRUSH/CAR WASH	0.00	217.88
1011	91474	11/30/17	1914	US BANK	001	KING-HOTEL-10/02	0.00	226.14
1011	91474	11/30/17	1914	US BANK	00160006170	URUBURU-WETSUIT	0.00	281.94
1011	91474	11/30/17	1914	US BANK	00160006170	YAMAHA MAINT	0.00	311.49
1011	91474	11/30/17	1914	US BANK	00160006170	CLNR/SPNG/TWLS/SOAP	0.00	330.42
1011	91474	11/30/17	1914	US BANK	13550005450	2 MONITORS-FINANCE	0.00	332.78
1011	91474	11/30/17	1914	US BANK	001	KOSZMKN-PARMA REG2/18	0.00	350.00
1011	91474	11/30/17	1914	US BANK	00155005550	AICP DUES-CHOPYK	0.00	352.00
1011	91474	11/30/17	1914	US BANK	00170007110	TREE EVENT GIVEAWAYS	0.00	383.41
1011	91474	11/30/17	1914	US BANK	001	WENGER-CPRS REG-3/13	0.00	425.00
1011	91474	11/30/17	1914	US BANK	00165006570	5 ENTRANCE MATS	0.00	575.39
1011	91474	11/30/17	1914	US BANK	001	CHOPYK-HOTEL-9/23	0.00	584.31
1011	91474	11/30/17	1914	US BANK	001	WADE-CTY MNG REG-1/31	0.00	650.00
1011	91474	11/30/17	1914	US BANK	27060006120	SHSP.16 ROPE/SUPPLIES	0.00	678.85
1011	91474	11/30/17	1914	US BANK	00150005150	VHS/DVD TRNSFR EQUIP	0.00	681.92
1011	91474	11/30/17	1914	US BANK	00165006570	BABY CHANGING STN	0.00	846.68
1011	91474	11/30/17	1914	US BANK	13560006120	GYM EQUIPMENT	0.00	967.00

CITY OF SOLANA BEACH, CA  
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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	91474	11/30/17	1914	US BANK	13550005450	6 MICROPHONES	0.00	1,614.00
1011	91474	11/30/17	1914	US BANK	00160006170	RUST PREVENTION SPRAY	0.00	13.84
1011	91474	11/30/17	1914	US BANK	00150005200	CLOSED SESSION-10/11	0.00	14.25
1011	91474	11/30/17	1914	US BANK	00150005250	CLOSED SESSION-10/11	0.00	14.25
TOTAL CHECK							0.00	14,198.14
1011	91475	11/30/17	1686	I&HW-CWEA, INC	00165006520	MEMBERSHP RENWL-KERR	0.00	180.00
1011	91476	11/30/17	4279	CITY PLACE PLANNING, INC	21355005550	1714.08 AAT SOLANA 101	0.00	1,732.50
1011	91477	11/30/17	5171	CORELOGIC SOLUTIONS, LLC	00155005550	PROPERTY PRO DATA	0.00	96.83
1011	91478	11/30/17	1048	COUNTY OF SAN DIEGO-EMER	00160006150	FY17/18 UDC MEMBERSHP	0.00	817.00
1011	91478	11/30/17	1048	COUNTY OF SAN DIEGO-EMER	00160006150	FY18 HIRT MEMBERSHIP	0.00	23,238.00
TOTAL CHECK							0.00	24,055.00
1011	91479	11/30/17	127	COX COMMUNICATIONS INC	00150005450	TV BRDCAST11/10-12/09	0.00	1,160.75
1011	91480	11/30/17	218	DATATICKET INC.	00160006140	PRKNG TCKT ADMIN-OCT	0.00	910.91
1011	91481	11/30/17	4218	DICK MILLER, INC	22893276510	9327 ST IMP C R 10/31	0.00	15,316.24
1011	91481	11/30/17	4218	DICK MILLER, INC	22893276510	9327 ST IMP C R 10/31	0.00	805.90
1011	91481	11/30/17	4218	DICK MILLER, INC	45993276510	9327 ST IMP C R 10/31	0.00	8,698.16
1011	91481	11/30/17	4218	DICK MILLER, INC	45993276510	9327 ST IMP C R 10/31	0.00	458.02
1011	91481	11/30/17	4218	DICK MILLER, INC	228	9327 ST IMP C R 10/31	0.00	-805.90
1011	91481	11/30/17	4218	DICK MILLER, INC	459	9327 ST IMP C R 10/31	0.00	-458.02
TOTAL CHECK							0.00	24,014.40
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006570	BRACKET	0.00	1.15
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006570	CAR SOAP/LIGHT BULB	0.00	12.15
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006530	SPRAY GUN PUMP FLUID	0.00	12.60
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006570	PAINT ROLL COVERS	0.00	12.89
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006570	SHELF BRCKT/SCREWS	0.00	14.71
1011	91482	11/30/17	134	DIXIELINE LUMBER CO INC	00165006570	DISCNCNTR/PLSTC RING	0.00	17.00
TOTAL CHECK							0.00	70.50
1011	91483	11/30/17	269	DUDEK & ASSOCIATES INC.	21355005550	1714.29/661-781 NARDO	0.00	1,229.86
1011	91483	11/30/17	269	DUDEK & ASSOCIATES INC.	21355005550	1714.29/661-781 NARDO	0.00	5,862.64
TOTAL CHECK							0.00	7,092.50
1011	91484	11/30/17	94	ESGIL CORPORATION	00155005560	BLDG PRMT 10/16-10/20	0.00	6,337.38
1011	91484	11/30/17	94	ESGIL CORPORATION	00155005560	BLDG PRMT 10/30-11/03	0.00	3,138.14
TOTAL CHECK							0.00	9,475.52
1011	91485	11/30/17	223	FEDEX	00150005150	SHIPPING -11/01/17	0.00	24.35
1011	91486	11/30/17	4932	RACHEL FRIEDMAN	00170007110	TREE LTNG SUPPLIES	0.00	83.99
1011	91487	11/30/17	1011	HDL-HINDERLITER, DE LLAM	00150005300	Q3 CY17 STAX-CONTRACT	0.00	1,095.62
1011	91487	11/30/17	1011	HDL-HINDERLITER, DE LLAM	00150005300	Q1 CY17 STAX AUDIT	0.00	1,250.95
TOTAL CHECK							0.00	2,346.57

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FUND - 001 - GENERAL FUND		CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	91488	11/30/17	3299	HELIX ENVIRONMENTAL	00150005200	HARBAUGH ENV RVW-OCT	0.00	2,479.27		
1011	91489	11/30/17	4166	HOGAN LAW APC	00150005250	22ND DIST AG-OCT	0.00	1,202.50		
1011	91489	11/30/17	4166	HOGAN LAW APC	21355005550	1714.08 PROF SVC-OCT	0.00	2,925.00		
TOTAL CHECK							0.00	4,127.50		
1011	91490	11/30/17	11	ICMA RETIREMENT TRUST-45	001	ICMA PD 12/01/17	0.00	8,437.84		
1011	91491	11/30/17	3859	ICMA RETIREMENT TRUST-RH	001	ICMA PD 12/01/17	0.00	2,022.05		
1011	91492	11/30/17	4572	KING OF THE PAINTERS CO	00165006570	CH-PAINT INTERIOR	0.00	950.00		
1011	91493	11/30/17	858	PETER LAMBROU	00150005400	LIVE SCAN	0.00	20.00		
1011	91494	11/30/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007810	SA PROF SVC PE 08/31	0.00	315.00		
1011	91494	11/30/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007820	AFFRDL HSNG-AUG	0.00	105.00		
1011	91494	11/30/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007820	AFFRDL HSNG-SEP	0.00	420.00		
1011	91494	11/30/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007820	SD BRD OF EDUC-AUG	0.00	87.50		
1011	91494	11/30/17	1130	MCDUGAL LOVE ECKIS SMIT	65278007820	SD BRD OF EDUC-JUL	0.00	262.50		
TOTAL CHECK							0.00	1,190.00		
1011	91495	11/30/17	4738	MEDICAL EYE SERVICES	001	EE# IV	0.00	9.04		
1011	91495	11/30/17	4738	MEDICAL EYE SERVICES	001	EE# -NOV	0.00	11.29		
1011	91495	11/30/17	4738	MEDICAL EYE SERVICES	001	EE# -NOV	0.00	20.33		
1011	91495	11/30/17	4738	MEDICAL EYE SERVICES	00150005400	ROUNDING-NOV	0.00	-0.24		
1011	91495	11/30/17	4738	MEDICAL EYE SERVICES	001	VISION NOV	0.00	432.11		
TOTAL CHECK							0.00	472.53		
1011	91496	11/30/17	2106	MIKHAIL OGAWA ENGINEERIN	00165006520	JURMP-OCT	0.00	8,326.06		
1011	91496	11/30/17	2106	MIKHAIL OGAWA ENGINEERIN	00165006520	JURMP-SEPT	0.00	14,552.89		
TOTAL CHECK							0.00	22,878.95		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.56		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.58		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	6.25		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	6.32		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	7.03		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	7.04		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	7.10		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	7.11		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006550	LAUNDRY-PUB WORKS	0.00	12.50		
1011	91497	11/30/17	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	12.64		
TOTAL CHECK							0.00	69.13		
1011	91498	11/30/17	4522	NISSHO OF CALIFORNIA	00165006560	ROTORS REPLACED	0.00	157.64		
1011	91499	11/30/17	434	NOBLE CONSULTANTS, INC.	45094426510	9442.01SEASCPESTR-OCT	0.00	1,017.21		
1011	91500	11/30/17	2019	NORTH COUNTY EVS, INC	00160006120	ON CALL REPAIR-09/28	0.00	21,371.60		
1011	91501	11/30/17	50	OFFICE DEPOT INC	00155005550	WHITE OUT	0.00	13.81		
1011	91501	11/30/17	50	OFFICE DEPOT INC	00155005550	PEN/FOLDERS	0.00	17.53		

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
TOTAL CHECK							0.00	31.34
1011	91502	11/30/17	5273	OH-ENDERWICK FAMILY TRUS 213		REND:1714.30/234 S RI	0.00	125.00
1011	91502	11/30/17	5273	OH-ENDERWICK FAMILY TRUS 001		REND:17-153/234 S RIO	0.00	10,000.00
TOTAL CHECK							0.00	10,125.00
1011	91503	11/30/17	113	PITNEY BOWES GLOBAL FINA 00150005150		CITY WIDE POSTAGE	0.00	1,500.00
1011	91504	11/30/17	4658	PLACEWORKS, INC 21355005550		1714.20/959 GENEVIEVE	0.00	3,279.99
1011	91504	11/30/17	4658	PLACEWORKS, INC 21355005550		1714.20/959 GENEVIEVE	0.00	638.76
TOTAL CHECK							0.00	3,918.75
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		EE# TIMING NOV 17	0.00	37.20
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		EE# COBRA NOV 17	0.00	46.80
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		EE# COBRA NOV 17	0.00	46.80
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		EE# COBRA NOV 17	0.00	84.00
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		EE# TIMING NOV 17	0.00	-65.00
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 001		DENTAL NOVEMBER 17	0.00	2,868.26
1011	91505	11/30/17	1087	PREFERRED BENEFIT INS AD 00150005400		ROUNDING NOVEMBER 17	0.00	-0.07
TOTAL CHECK							0.00	3,017.99
1011	91506	11/30/17	1008	PSC, LLC 00165006520		HHW-OCT	0.00	538.50
1011	91507	11/30/17	1382	PURE FLO - PW # 26118 00165006570		DRINK WATER-OCT	0.00	30.56
1011	91508	11/30/17	2260	REDFLEX TRAFFIC SYSTEMS, 00165006540		RED LIGHT CAMERA-OCT	0.00	7,159.35
1011	91509	11/30/17	5359	RUBEN ALTO 001		REND:1717.16/676 VALL	0.00	2,272.50
1011	91510	11/30/17	257	SAN DIEGO COUNTY SHERIFF 21960006110		LAW ENFORCEMENT-OCT	0.00	8,333.28
1011	91510	11/30/17	257	SAN DIEGO COUNTY SHERIFF 00160006110		LAW ENFORCEMENT-OCT	0.00	320,197.72
TOTAL CHECK							0.00	328,531.00
1011	91511	11/30/17	736	SDG&E 00165006530		UTILITIES-10/04-11/06	0.00	1,097.49
1011	91511	11/30/17	736	SDG&E 20375007510		UTILITIES-10/04-11/06	0.00	2,248.22
1011	91511	11/30/17	736	SDG&E 00165006570		UTILITIES-09/30-11/06	0.00	2,361.94
1011	91511	11/30/17	736	SDG&E 00165006570		UTILITIES-10/04-11/06	0.00	5,048.80
1011	91511	11/30/17	736	SDG&E 21100007600		UTILITIES-09/30-11/06	0.00	6,480.36
1011	91511	11/30/17	736	SDG&E 00165006540		UTILITIES-09/30-11/06	0.00	434.03
1011	91511	11/30/17	736	SDG&E 00165006530		UTILITIES-09/30-11/06	0.00	483.28
1011	91511	11/30/17	736	SDG&E 00165006540		UTILITIES-10/04-11/06	0.00	949.11
TOTAL CHECK							0.00	19,103.23
1011	91512	11/30/17	3909	SECTRAN SECURITY INC 12050005460		COURIER SVC-NOV	0.00	106.00
1011	91512	11/30/17	3909	SECTRAN SECURITY INC 12050005460		COURIER SVC FUEL-NOV	0.00	9.01
TOTAL CHECK							0.00	115.01
1011	91513	11/30/17	13	SOLANA BEACH FIREFIGHTER 001		FD DUES PD 12/01/17	0.00	823.50
1011	91514	11/30/17	5360	STONEHENGE SIGNS, INC. 00170007100		SOL BCH ENTRY BOULDER	0.00	4,000.00
1011	91515	11/30/17	3066	SUMMIT ENVIRONMENTAL GRO 21355005550		1717.39/325 S SIERRA	0.00	1,000.00

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FUND - 001 - GENERAL FUND

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1011	91516	11/30/17	4534	TRAFFIC SUPPLY, INC	00165006540	2 TRAFFIC SIGNS	0.00	290.29
1011	91516	11/30/17	4534	TRAFFIC SUPPLY, INC	00165006540	RED-WHITE PAINT/CONES	0.00	591.84
	TOTAL CHECK						0.00	882.13
1011	91517	11/30/17	525	UNITED PARCEL SERVICE	00150005150	SHIPPING-11/09/17	0.00	18.75
1011	91518	11/30/17	12	UNITED WAY OF SAN DIEGO	001	UNITED WY PD 12/01/17	0.00	70.00
1011	91519	11/30/17	2097	UT SAN DIEGO - NRTH COUN	00150005150	ORD 483 SUMMARY	0.00	40.91
1011	91519	11/30/17	2097	UT SAN DIEGO - NRTH COUN	00150005150	ORD 482-SECT 17.60.20	0.00	43.48
	TOTAL CHECK						0.00	84.39
1011	91520	11/30/17	3242	VAN DYKE LANDSCAPE ARCHI	42094386510	9438.10-SKT PRK DSGN	0.00	15,186.30
1011	91521	12/07/17	4786	12MILESOUT.COM	00150005450	COUNCIL WEB STRM-OCT	0.00	800.00
1011	91522	12/07/17	5137	ABLE PATROL & GUARD, INC	001	LC SECURITY-12/02/17	0.00	200.00
1011	91523	12/07/17	1135	AFFORDABLE PIPELINE SERV	50900007700	I-SEWER CLEANING	0.00	425.00
1011	91524	12/07/17	1122	APPLE ONE, INC	00150005150	TEMP HELP PE 11/18	0.00	969.84
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00160006140	AUTO FUEL 11/03-12/02	0.00	352.35
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00160006170	AUTO FUEL 11/03-12/02	0.00	378.13
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00165006520	AUTO FUEL 11/03-12/02	0.00	288.01
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00165006570	AUTO FUEL 11/03-12/02	0.00	90.01
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00165006510	AUTO FUEL 11/03-12/02	0.00	99.01
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	50900007700	AUTO FUEL 11/03-12/02	0.00	108.00
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00160006120	AUTO FUEL 11/03-12/02	0.00	121.83
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00165006560	AUTO FUEL 11/03-12/02	0.00	54.00
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00170007110	AUTO FUEL 11/03-12/02	0.00	80.06
1011	91525	12/07/17	3704	ARCO GASPRO PLUS	00165006530	AUTO FUEL 11/03-12/02	0.00	261.01
	TOTAL CHECK						0.00	1,832.41
1011	91526	12/07/17	4832	AT&T CALNET 3	50900007700	939112277 10/24-11/23	0.00	13.05
1011	91526	12/07/17	4832	AT&T CALNET 3	00165006540	939112279 10/24-11/23	0.00	34.51
	TOTAL CHECK						0.00	47.56
1011	91527	12/07/17	5320	BAYSHORE CONSULTING GROU	45999055550	9905.02 PROF SVC-NOV	0.00	2,108.37
1011	91528	12/07/17	1561	CDW GOVERNMENT INC	00150005450	BATTERIES	0.00	81.63
1011	91529	12/07/17	127	COX COMMUNICATIONS INC	00150005450	CTYINFRNT 11/19-12/18	0.00	530.24
1011	91530	12/07/17	108	DEL MAR BLUE PRINT COMPA	00165006510	SCN PLNS-DIGTL RECRDS	0.00	440.68
1011	91531	12/07/17	5210	COUNTY OF SAN DIEGO	00160006140	PRKNG CITE ADMIN-OCT	0.00	3,441.00
1011	91532	12/07/17	134	DIXIELINE LUMBER CO INC	00165006570	PAINT TRAY/RED SPRY/	0.00	15.68
1011	91532	12/07/17	134	DIXIELINE LUMBER CO INC	00165006560	MEN'S BTHRM SIGN	0.00	22.29
1011	91532	12/07/17	134	DIXIELINE LUMBER CO INC	00165006570	PAINT/ADHSV/SPREADER	0.00	35.47

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
TOTAL CHECK							
1011	91533	12/07/17	331 EL CAMINO RENTAL	00170007110	TREE LIGHTING LIFT	0.00	73.44
1011	91534	12/07/17	1985 EXTERIOR PRODUCTS INC	00170007100	55 HOLIDAY BANNERS	0.00	339.57
1011	91535	12/07/17	11 ICMA RETIREMENT TRUST-45 001		ICMA PD 12/07/17	0.00	2,420.00
1011	91536	12/07/17	4600 KYLE KOSZEWNIK	00150005400	KK-RM TRAINING 9/25	0.00	5,637.13
1011	91537	12/07/17	111 MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	2.07
1011	91537	12/07/17	111 MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	8.30
1011	91537	12/07/17	111 MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	9.33
1011	91537	12/07/17	111 MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	9.34
1011	91537	12/07/17	111 MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	16.59
TOTAL CHECK						0.00	45.63
1011	91538	12/07/17	50 OFFICE DEPOT INC	00155005550	HANGING FOLDERS	0.00	34.46
1011	91538	12/07/17	50 OFFICE DEPOT INC	00155005550	STAPLER/TAPE/FOLDERS	0.00	151.07
TOTAL CHECK						0.00	185.53
1011	91539	12/07/17	1377 ONE DAY SIGNS	00165006570	CASHIER SIGN	0.00	37.71
1011	91539	12/07/17	1377 ONE DAY SIGNS	00165006540	GOLF CART PERMITS	0.00	121.22
TOTAL CHECK						0.00	158.93
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	459	9456.17GLNCRST ER-RET	0.00	-7,447.15
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST ER-RET	0.00	5,310.23
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRSTER CO RT	0.00	2,136.92
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	12050005460	CLM.1704SKHOLE RPAIR	0.00	55,998.00
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST EMG RP	0.00	44,896.35
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	12050005460	CLM.1704SKHOLE RPAIR	0.00	15,639.00
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST EMG RP	0.00	25,966.65
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST ER-RET	0.00	2,189.77
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST ER CO	0.00	14,457.65
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRSTER CO RT	0.00	760.93
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	459		0.00	-2,950.70
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST ER-RET	0.00	-141,495.85
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17STRMDR EMG RPR	0.00	40,601.50
1011	91540	12/07/17	3754 PAL GENERAL ENGINEERING	45994566510	9456.17GLNCRST ER CO	0.00	56,063.30
TOTAL CHECK						0.00	1,321.92
1011	91541	12/07/17	4767 PARTNERSHIPS WITH INDUST	00165006570	TRASH ABTMT PE11/15	0.00	515.00
1011	91542	12/07/17	1112 RANCHO SANTA FE SECURITY	00165006560	RESTRM LCK/UNLOCK-NOV	0.00	174.50
1011	91542	12/07/17	1112 RANCHO SANTA FE SECURITY	00165006560	ALARM MONITORING-NOV	0.00	689.50
TOTAL CHECK						0.00	191.25
1011	91543	12/07/17	4080 JENNIFER REED	00150005350	ADMIN SVC-NOV	0.00	655.00
1011	91544	12/07/17	5357 SES SECURE E-WASTE SOLUT	00165006520	BATTERY/BULB DESTRCTN	0.00	87.00
1011	91545	12/07/17	156 SHARP REES-STEALY MEDICA	00150005400	POST ACCDNT SCREEN	0.00	1,300.00
1011	91545	12/07/17	156 SHARP REES-STEALY MEDICA	12050005460	ONSITE HEP A SHOTS	0.00	

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CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	91545	12/07/17	156	SHARP REES-STEALY MEDICA	00150005400	ONSITE FLU SHOTS	0.00	448.00
TOTAL CHECK							0.00	1,835.00
1011	91546	12/07/17	4281	SIEMENS INDUSTRY, INC	00165006540	TRAFFIC SGNL MNT-OCT	0.00	993.92
1011	91546	12/07/17	4281	SIEMENS INDUSTRY, INC	00165006540	TRAFFIC CALL OUT-OCT	0.00	1,064.90
1011	91546	12/07/17	4281	SIEMENS INDUSTRY, INC	21100007600	ST LIGHT REPAIR-OCT	0.00	959.70
1011	91546	12/07/17	4281	SIEMENS INDUSTRY, INC	12050005460	CR17.C27 LGHT PL DMG	0.00	362.58
TOTAL CHECK							0.00	3,381.10
1011	91547	12/07/17	3518	SOLANA BEACH PRESBYTERIA	001	RFND-12/01 SEC DEPSIT	0.00	500.00
1011	91548	12/07/17	1231	STAPLES CONTRACT & COMME	00160006120	COLOR TONER	0.00	288.73
1011	91549	12/07/17	4959	TELECOM LAW FIRM	21355005550	1717.17/105 N. CEDROS	0.00	150.00
1011	91550	12/07/17	1458	THE UNIFORM SPECIALIST	00160006120	BOOTS-MASNICA	0.00	378.86
1011	91551	12/07/17	2097	UT SAN DIEGO - NRTH COUN	00165006510	PUB NTC-SB OVRLY ZONE	0.00	128.16
1011	91551	12/07/17	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRNG-1712.15 DRP	0.00	166.67
1011	91551	12/07/17	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRNG-1717.25 DRP	0.00	178.85
1011	91551	12/07/17	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRG-1712.21 DRP	0.00	180.02
TOTAL CHECK							0.00	653.70
1011	91552	12/07/17	3723	WAGWORKS	00150005400	FSA ADMIN-NOV	0.00	113.00
1011	91553	12/07/17	4763	WESTERN AUDIO VISUAL	00150005450	CHAMBERS TECH-NOV	0.00	499.00
1011	91554	12/14/17	4711	ABEL PEREZ	00165006560	MILEAGE-12/03/17	0.00	6.42
1011	91555	12/14/17	1135	AFFORDABLE PIPELINE SERV	50900007700	I-SEWER CLEANING	0.00	425.00
1011	91555	12/14/17	1135	AFFORDABLE PIPELINE SERV	50900007700	J-SEWER CLEANING	0.00	575.00
1011	91555	12/14/17	1135	AFFORDABLE PIPELINE SERV	00165006520	O-STORM DRAIN MAINT	0.00	1,140.00
TOTAL CHECK							0.00	2,140.00
1011	91556	12/14/17	5180	AMERICAN PLANNING ASSOCI	00155005550	APA MEMBERSHIP-OCHOA	0.00	252.00
1011	91557	12/14/17	1968	ANGELA IVEY	00150005150	CLERK LUNCHEON (3)	0.00	60.00
1011	91558	12/14/17	1122	APPLE ONE, INC	00150005150	TEMP HELP PE 11/25	0.00	727.38
1011	91559	12/14/17	4832	AT&T CALNET 3	00160006150	939112275 10/24-11/23	0.00	164.24
1011	91559	12/14/17	4832	AT&T CALNET 3	00160006170	939153651 10/25-11/24	0.00	214.50
1011	91559	12/14/17	4832	AT&T CALNET 3	00160006120	939112280 10/24-11/24	0.00	329.35
1011	91559	12/14/17	4832	AT&T CALNET 3	00150005450	939162899 10/24-11/23	0.00	164.24
TOTAL CHECK							0.00	872.33
1011	91560	12/14/17	4832	AT&T CALNET 3	00150005450	939112282 10/24-11/23	0.00	18.42
1011	91561	12/14/17	4832	AT&T CALNET 3	00150005450	939112278 10/24-11/23	0.00	2,200.90
1011	91562	12/14/17	4832	AT&T CALNET 3	00150005450	939153641 10/24-11/23	0.00	164.24



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CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	91563	12/14/17	5316	BANNER BANK	202	2016-09-RENTN ESCROW	0.00	2,890.00
1011	91563	12/14/17	5316	BANNER BANK	220	2016-09-RENTN ESCROW	0.00	8,914.36
1011	91563	12/14/17	5316	BANNER BANK	459	2016-09-RENTN ESCROW	0.00	9,552.07
1011	91563	12/14/17	5316	BANNER BANK	228	2016-09-RENTN ESCROW	0.00	14,232.80
TOTAL CHECK							0.00	35,589.23
1011	91564	12/14/17	5029	BILL SMITH FOREIGN CAR S	50900007700	F250-OIL/FILTER	0.00	37.84
1011	91564	12/14/17	5029	BILL SMITH FOREIGN CAR S	50900007700	F-250-OIL/FILTER	0.00	37.84
TOTAL CHECK							0.00	75.68
1011	91565	12/14/17	3069	JOSHUA BLEA	00165006560	MILEAGE-11/25-11/27	0.00	24.88
1011	91565	12/14/17	3069	JOSHUA BLEA	50900007700	MILEAGE-11/25-11/27	0.00	24.88
TOTAL CHECK							0.00	49.76
1011	91566	12/14/17	3480	BUSINESS PRINTING COMPAN	00150005350	WINDOW ENVELOPES	0.00	144.16
1011	91567	12/14/17	4947	WILLIAM CHOPYK	12050005460	2017 GYM REIMB	0.00	381.53
1011	91568	12/14/17	4279	CITY PLACE PLANNING, INC	21355005550	1714.08 AAT SOLANA 101	0.00	1,650.00
1011	91569	12/14/17	2631	CLEAN STREET	00165006550	STREET SWP-NOV	0.00	3,173.00
1011	91570	12/14/17	91	COUNTY OF SAN DIEGO	00160006130	Q2 ANIMAL CNTRL SVC	0.00	20,695.75
1011	91571	12/14/17	2098	CULLIGAN OF SAN DIEGO	00160006120	WATER FLTR 12/01-1/31	0.00	85.60
1011	91572	12/14/17	2165	CULLIGAN OF SAN DIEGO	00160006170	DRNKNG WTR SVC-DEC	0.00	38.00
1011	91573	12/14/17	2629	D & D DISPOSAL INC	00160006130	ANIMAL DISPOSAL-NOV	0.00	130.00
1011	91574	12/14/17	108	DEL MAR BLUE PRINT COMPA	00170007110	TREE LIGHT VNTR BDGS	0.00	79.03
1011	91574	12/14/17	108	DEL MAR BLUE PRINT COMPA	00150005400	DRCTR COM DEV BROCHRE	0.00	511.35
TOTAL CHECK							0.00	590.38
1011	91575	12/14/17	134	DIXIELINE LUMBER CO INC	00165006560	CABLE TIE	0.00	11.63
1011	91575	12/14/17	134	DIXIELINE LUMBER CO INC	00165006570	PLASTIC PLUG	0.00	5.12
TOTAL CHECK							0.00	16.75
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 07/24-07/28	0.00	20.86
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 10/02-10/06	0.00	132.61
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 07/03-07/07	0.00	137.81
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 08/14-08/18	0.00	233.15
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 09/25-09/29	0.00	313.83
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 10/30-11/03	0.00	349.22
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 07/31-08/04	0.00	433.16
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 09/04-09/08	0.00	531.19
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 09/18-09/22	0.00	848.69
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 08/21-08/25	0.00	994.36
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 10/09-10/13	0.00	1,094.06
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 08/28-09/01	0.00	1,279.44
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 10/16-10/20	0.00	1,409.30
1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 07/17-07/21	0.00	2,076.66

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1011	91576	12/14/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 09/11-09/15	0.00	3,433.21
TOTAL CHECK							0.00	13,287.55
1011	91577	12/14/17	1792	HARRIS & ASSOC. INC.	21355005550	1714.08 101/DAHL EIR	0.00	5,347.50
1011	91577	12/14/17	1792	HARRIS & ASSOC. INC.	21355005550	1714.08 101/DAHL EIR	0.00	1,647.50
TOTAL CHECK							0.00	6,995.00
1011	91578	12/14/17	3299	HELIX ENVIRONMENTAL	45994386510	9438.10 PROF SVC-NOV	0.00	2,836.48
1011	91579	12/14/17	11	ICMA RETIREMENT TRUST-45	001	ICMA PD 12/15/17	0.00	7,457.46
1011	91580	12/14/17	3859	ICMA RETIREMENT TRUST-RH	001	ICMA PD 12/15/17	0.00	2,040.72
1011	91581	12/14/17	1075	IRON MOUNTAIN	00150005150	RECORDS STRG-DEC	0.00	430.57
1011	91582	12/14/17	87	ISLA VERDE HOA	20575007530	LANDSCAPE MAINT-NOV	0.00	425.00
1011	91583	12/14/17	3526	LOUNSBERY FERGUSON ALTON	00150005250	LGL SVC-STRM WTR SUPP	0.00	178.00
1011	91584	12/14/17	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.56
1011	91584	12/14/17	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	6.25
1011	91584	12/14/17	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	7.03
1011	91584	12/14/17	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	7.04
1011	91584	12/14/17	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	12.50
TOTAL CHECK							0.00	34.38
1011	91585	12/14/17	4708	MUNICIPAL EMERGENCY SERV	00160006120	SENSR/BTRY/ELEC REPR	0.00	165.12
1011	91586	12/14/17	4670	NATIONAL AUTO FLEET GROU	13565006530	C-MAX HYBRID ID#3005	0.00	26,249.67
1011	91586	12/14/17	4670	NATIONAL AUTO FLEET GROU	13565006530	RAV4 HYBRID ID#3764	0.00	29,703.08
TOTAL CHECK							0.00	55,952.75
1011	91587	12/14/17	4825	NEOGOV, INC	00150005400	JOB POSTING SUB 2018	0.00	4,037.30
1011	91588	12/14/17	50	OFFICE DEPOT INC	00150005400	TONER	0.00	82.03
1011	91589	12/14/17	54	1 STOP TONER & INKJET, L	00155005550	COLOR TONER-PLANNING	0.00	161.61
1011	91589	12/14/17	54	1 STOP TONER & INKJET, L	00165006510	COLOR TONER-PW	0.00	226.26
1011	91589	12/14/17	54	1 STOP TONER & INKJET, L	00165006520	COLOR TONER-PW	0.00	226.26
1011	91589	12/14/17	54	1 STOP TONER & INKJET, L	50900007700	COLOR TONER-PW	0.00	226.26
1011	91589	12/14/17	54	1 STOP TONER & INKJET, L	00155005560	COLOR TONER-BUILDING	0.00	517.17
TOTAL CHECK							0.00	1,357.56
1011	91590	12/14/17	5354	PILLSBURY WINTHROP SHAW	00150005250	PROF SVC-OCT	0.00	2,029.50
1011	91591	12/14/17	2370	POUNEH SAMMAK	001	SAMMAK-CALPERLA-12/05	0.00	-982.10
1011	91591	12/14/17	2370	POUNEH SAMMAK	00150005400	SAMMAK-CALPERLA-12/05	0.00	1,925.24
TOTAL CHECK							0.00	943.14
1011	91592	12/14/17	1382	PURE FLO - PW # 26118	00165006570	DRINK WATER-NOV	0.00	30.56
1011	91593	12/14/17	2260	REDFLEX TRAFFIC SYSTEMS,	00165006540	RED LIGHT CAMERA-NOV	0.00	7,158.00

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1011	91594	12/14/17	416	REGIONAL COMMS SVS, MS 0	00160006120	CAP CODE-NOV	0.00	32.50
1011	91595	12/14/17	86	SAN ELIJO HILLS II HOA	20775007550	LANDSCAPE MAINT-NOV	0.00	6,550.00
1011	91596	12/14/17	88	SANTA FE HILLS HOA	20475007520	LANDSCAPE MAINT-NOV	0.00	12,250.00
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005506015 0916-111517	0.00	129.83
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005506016 0916-111517	0.00	129.83
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005979003 0916-111517	0.00	561.18
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	20375007510	007732000 0916-111517	0.00	103.55
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	20375007510	005979004 0916-111517	0.00	264.83
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005979005 1003-120117	0.00	221.21
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	50900007700	005979008 1003-120117	0.00	85.43
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005506018 1102-120117	0.00	324.10
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005506019 1102-120117	0.00	976.15
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	20875007580	005506020 1102-120117	0.00	1,569.35
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	20475007520	GRP 5-25 10/03-12/01	0.00	3,647.86
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	20475007520	GRP 6-01 11/02-12/01	0.00	6,380.35
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006560	005506014 1102-120117	0.00	245.16
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	50900007700	005506014 1102-120117	0.00	735.47
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006530	0011695000 1102-1201	0.00	31.86
1011	91597	12/14/17	141	SANTA FE IRRIGATION DIST	00165006550	0011695000 1102-1201	0.00	95.59
TOTAL CHECK							0.00	15,501.75
1011	91598	12/14/17	153	SHELL FLEET MANAGEMENT	00160006120	CR EXEMPT TAX-OCT	0.00	-118.43
1011	91598	12/14/17	153	SHELL FLEET MANAGEMENT	00160006120	AUTO FUEL-OCT	0.00	1,369.43
TOTAL CHECK							0.00	1,251.00
1011	91599	12/14/17	1459	JASON SHOOK	12050005460	2017 GYM REIMB	0.00	480.00
1011	91600	12/14/17	13	SOLANA BEACH FIREFIGHTER 001		FD DUES PD 12/15/17	0.00	823.50
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00165006510	FLASH DRIVE (5)	0.00	94.23
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00150005300	BINDER	0.00	12.92
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00170007100	HEATER	0.00	29.62
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00150005300	CAL PAPER/PENS/PPR CLP	0.00	31.31
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00150005350	LEGAL FOLDERS	0.00	34.04
1011	91601	12/14/17	1231	STAPLES CONTRACT & COMME	00150005350	STAPLES/PAPER PLATES	0.00	44.62
TOTAL CHECK							0.00	246.74
1011	91602	12/14/17	4840	STC TRAFFIC, INC	45993826510	9382.01 LSF CORRIDOR	0.00	5,172.00
1011	91602	12/14/17	4840	STC TRAFFIC, INC	00165006540	ONCALL TRFFC-OCT	0.00	495.00
TOTAL CHECK							0.00	5,667.00
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1714.29/SOL HGHLD-NOV	0.00	3,960.00
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1717.39/325 S SIERRA	0.00	750.00
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1714.20/959 GENEVIEVE	0.00	250.00
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	45999036190	9903 PROF SVC LCP-NOV	0.00	8,585.20
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	45099266190	9926 PROF SVC SND-NOV	0.00	2,163.00
1011	91603	12/14/17	3066	SUMMIT ENVIRONMENTAL GRO	00155005550	PROF SVC NOV	0.00	440.00
TOTAL CHECK							0.00	16,148.20

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CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	91604	12/14/17	4842	SUPPLYWORKS, INC	00165006560	CAN LINERS/BLEACH/	0.00	539.80
1011	91604	12/14/17	4842	SUPPLYWORKS, INC	00165006570	CAN LINERS/BLEACH/	0.00	539.80
	TOTAL CHECK						0.00	1,079.60
1011	91605	12/14/17	3980	TURNOUT MAINTENANCE COMP	21460006120	TURNOUT CLEANING	0.00	60.00
1011	91606	12/14/17	40	UNDERGROUND SVC ALERT OF	00165006510	DIG ALERT-NOV	0.00	92.50
1011	91607	12/14/17	12	UNITED WAY OF SAN DIEGO	001	UNITED WY PD 12/15/17	0.00	70.00
1011	91608	12/14/17	4844	WARWICK GROUP CONSULTANT	45099266190	9926-PROF SVC-NOV	0.00	5,375.00
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	W7830PT UPSTRS-NOV	0.00	199.60
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	EXCSS CLR-10/21-11/20	0.00	201.17
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	EXCSS BLK-10/21-11/20	0.00	70.27
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	D95CP PLNG LEASE-NOV	0.00	555.18
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	EXCS CPYS 10/21-11/21	0.00	111.34
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	W7830PT CLRKS-NOV	0.00	218.99
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	EXCSS CLR-10/21-11/21	0.00	99.24
1011	91609	12/14/17	37	XEROX CORPORATION	00150005350	EXCSS BLK-10/21-11/21	0.00	44.07
	TOTAL CHECK						0.00	1,499.86
1011	91610	12/14/17	5272	WILLIAM ZIMMERMAN	001	RFND-SBGR285/390 LOMA	0.00	2,806.00
1011	91611	12/21/17	4786	12MILESOUT.COM	00150005450	COUNCIL WEB STRM-NOV	0.00	800.00
1011	91612	12/21/17	4706	24 HOUR ELEVATOR, INC	00165006570	ELVTR MAINT-DEC	0.00	157.48
1011	91613	12/21/17	4621	BLUE PACIFIC ENGINEERING	420	9386.05 CRT RT PAYOUT	0.00	2,380.80
1011	91614	12/21/17	2576	STANLEY ACCESS TECHNOLOG	00165006570	ADA PUSH BUTTN-CH	0.00	997.00
1011	91615	12/21/17	4697	CATHERINE WONG	12050005460	2017 GYM REIMS	0.00	200.00
1011	91616	12/21/17	5051	CINTAS CORPORATION NO. 2	00165006570	FIRST AID SUPPLIES-PW	0.00	59.72
1011	91616	12/21/17	5051	CINTAS CORPORATION NO. 2	00165006570	FIRST AID SUPPLIES-CH	0.00	99.78
	TOTAL CHECK						0.00	159.50
1011	91617	12/21/17	5013	CONAN CONSTRUCTION INC	450	9442 SEASCOPE RET-NOV	0.00	-3,321.25
1011	91617	12/21/17	5013	CONAN CONSTRUCTION INC	45094426510	9442 SEASCOPE STRS-NOV	0.00	63,103.75
1011	91617	12/21/17	5013	CONAN CONSTRUCTION INC	45094426510	9442 SEASCOPE RTEN-NOV	0.00	3,321.25
	TOTAL CHECK						0.00	63,103.75
1011	91618	12/21/17	5171	CORELOGIC SOLUTIONS, LLC	00155005550	PROPERTY PRO DATA	0.00	96.83
1011	91619	12/21/17	3967	COREY ANDREWS	12050005460	2017 GYM REIMS	0.00	480.00
1011	91620	12/21/17	5368	DANIEL EDWIN BORTZ	001	RFND: SB-0617097	0.00	10.00
1011	91621	12/21/17	1701	DANNY KING	12050005460	2017 GYM REIMS	0.00	480.00

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1011	91622	12/21/17	108	DEL MAR BLUE PRINT COMPA	00170007100	NEWSLETTER	0.00	72.86	
1011	91623	12/21/17	739	DEPARTMENT OF JUSTICE	00150005400	FINGERPRINTS APP-NOV	0.00	32.00	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006570	CR- WATER HEATER PAN	0.00	-18.41	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006570	FISHING LINE	0.00	2.41	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006560	LIGHTS	0.00	140.10	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006530	FLSHLTS/BTRY/GLOVES	0.00	239.74	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006570	HOLIDAY LIGHTS	0.00	30.87	
1011	91624	12/21/17	134	DIXIELINE LUMBER CO INC	00165006570	HOLIDAY LIGHTS	0.00	394.71	
TOTAL CHECK									
1011	91625	12/21/17	269	DUDEK & ASSOCIATES INC.	50998336510	9833 PUMP STN-PE10/27	0.00	2,292.50	
1011	91626	12/21/17	94	ESGIL CORPORATION	00155005560	BLDG PRMT 11/06-11/10	0.00	3,327.79	
1011	91626	12/21/17	94	ESGIL CORPORATION	00155005560	BLDG PRMT 11/20-11/24	0.00	4,588.97	
1011	91626	12/21/17	94	ESGIL CORPORATION	00155005560	BLDG PRMT 10/23-10/27	0.00	13,680.47	
1011	91626	12/21/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 11/20-11/24	0.00	481.32	
1011	91626	12/21/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 11/06-11/10	0.00	816.17	
1011	91626	12/21/17	94	ESGIL CORPORATION	00160006120	FIRE PRMT 10/23-10/27	0.00	3,922.03	
TOTAL CHECK								26,816.75	
1011	91627	12/21/17	2593	GOLDFARB & LIPMAN	00150005250	PROF SVC-OCT	0.00	1,624.00	
1011	91627	12/21/17	2593	GOLDFARB & LIPMAN	65278007810	SA PROF SVC PE 10/31	0.00	644.00	
TOTAL CHECK								2,268.00	
1011	91628	12/21/17	1792	HARRIS & ASSOC. INC.	21355005550	1715.15 PROF SVC-OCT	0.00	97.50	
1011	91629	12/21/17	3859	ICMA RETIREMENT TRUST-RH	001	ICMA PD 12/15/17 ADJ	0.00	36.00	
1011	91630	12/21/17	5367	JOSE LOPEZ	001	RFND: SB-0631996	0.00	42.50	
1011	91631	12/21/17	5364	KATHERINE MURRAY	001	RFND: SB-0627416	0.00	10.00	
1011	91632	12/21/17	4600	KYLE KOSZEWNIK	12050005460	2017 GYM REIMB	0.00	359.88	
1011	91633	12/21/17	172	LEE'S LOCK & SAFE INC	00165006570	TRIP/REPR/RPLC LVR-CH	0.00	84.00	
1011	91633	12/21/17	172	LEE'S LOCK & SAFE INC	00165006570	6 PIN/HRDWR/TRIP-FCP	0.00	94.78	
TOTAL CHECK								178.78	
1011	91634	12/21/17	2600	MARK MATHESON	12050005460	2017 GYM REIMB	0.00	480.00	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	VISION DECEMBER	0.00	432.52	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	EE# DEC 17	0.00	9.04	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	EE# DEC 17	0.00	-11.29	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	00150005400	ROUNDING-DECEMBER	0.00	-0.22	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	EE# DEC 17	0.00	11.29	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	EE# DEC 17	0.00	19.91	
1011	91635	12/21/17	4738	MEDICAL EYE SERVICES	001	EE# DEC 17	0.00	20.33	
TOTAL CHECK								481.58	
1011	91636	12/21/17	2106	MIKHAIL OGAWA ENGINEERIN	00165006520	JURMP-NOV	0.00	390.00	

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1011	91637	12/21/17	5219	JERUSALEM CONSTRUCTION,	001	CLN CONCRT RT PAYOUT	0.00	1,845.20
1011	91638	12/21/17	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.96
1011	91638	12/21/17	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	7.82
1011	91638	12/21/17	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	8.78
1011	91638	12/21/17	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	8.80
1011	91638	12/21/17	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	15.64
TOTAL CHECK							0.00	43.00
1011	91639	12/21/17	5129	KAYLA MOSHKI	00150005400	EE APPREC DECORATION	0.00	10.33
1011	91640	12/21/17	4582	MWI PLUMBERS SUPPLY	00165006570	COP REPAIR-FD	0.00	21.04
1011	91640	12/21/17	4582	MWI PLUMBERS SUPPLY	00165006570	GLUE/TEFLON TAPE-FD	0.00	25.86
TOTAL CHECK							0.00	46.90
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	00165006560	REPAIR BRKN LATERAL	0.00	822.26
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	00165006530	STREET LINDSCP SVC-NOV	0.00	1,170.89
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	00165006560	PKS LINDSCP SVC-NOV	0.00	8,264.63
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	00165006570	PUBFAC LINDSCP SVC-NOV	0.00	1,611.68
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	20375007510	MID#33 LINDSCP SVC-NOV	0.00	1,645.21
1011	91641	12/21/17	4522	NISSHO OF CALIFORNIA	20875007580	CRT LINDSCP SVC-NOV	0.00	2,264.45
TOTAL CHECK							0.00	15,779.12
1011	91642	12/21/17	5252	NOSSAMAN LLP	00150005250	PROF SVC-NOV	0.00	1,755.60
1011	91642	12/21/17	5252	NOSSAMAN LLP	00150005250	PROF SVC-OCT	0.00	2,444.00
1011	91642	12/21/17	5252	NOSSAMAN LLP	00150005250	PROF SVC-NOV	0.00	20,137.88
TOTAL CHECK							0.00	24,337.48
1011	91643	12/21/17	4767	PARTNERSHIPS WITH INDUST	00165006570	TRASH ABTMTN PELL/30	0.00	1,095.93
1011	91644	12/21/17	5362	PATRICIA LETTS	12050005460	2017 GYM REIMS	0.00	480.00
1011	91645	12/21/17	2370	POUNEH SAMMAK	12050005460	2017 GYM REIM	0.00	320.00
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	DENTAL DECEMBER 17	0.00	2,806.96
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	EE# TIMING DEC 17	0.00	145.30
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	EE# TIMING DEC 17	0.00	-37.20
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	00150005400	ROUNDING DEC. 17	0.00	-0.07
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	E# COBRA DEC 17	0.00	84.00
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	EE# COBRA DEC 17	0.00	46.80
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	EE# COBRA DEC 17	0.00	46.80
1011	91646	12/21/17	1087	PREFERRED BENEFIT INS AD 001	001	EE# TIMING DEC 17	0.00	64.98
TOTAL CHECK							0.00	3,157.57
1011	91647	12/21/17	3307	PURE FLO WATER-LC	00170007110	DRINK WATER-NOV	0.00	41.94
1011	91648	12/21/17	287	SALIENT NETWORKS (FXA DI	00150005450	PHONE SYSTM MAINT	0.00	6,294.00
1011	91648	12/21/17	287	SALIENT NETWORKS (FXA DI	00150005450	RCPT CONSL MAINT	0.00	102.00
1011	91648	12/21/17	287	SALIENT NETWORKS (FXA DI	00150005450	PAGING SYSTM MAINT	0.00	2,410.00
1011	91648	12/21/17	287	SALIENT NETWORKS (FXA DI	00150005450	FAX SYSTM MAINT	0.00	1,600.00
TOTAL CHECK							0.00	10,406.00

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1011	91649	12/21/17	2485	SAN DIEGO CNTY VECTOR CN	00165006570	FY17/18 VECTOR CONTRL	0.00	113.12
1011	91650	12/21/17	187	SAN DIEGUITO TROPHY	00150005400	EE APPREC PLAQUES (5)	0.00	123.83
1011	91651	12/21/17	1073	SEASIDE HEARING & AIR CO	00165006570	ROOF MAINT	0.00	105.00
1011	91652	12/21/17	4281	SIEMENS INDUSTRY, INC	00165006540	TRAFFIC SGNL MNT-NOV	0.00	993.92
1011	91652	12/21/17	4281	SIEMENS INDUSTRY, INC	00165006540	TRAFFIC CALL OUT-NOV	0.00	2,604.47
1011	91652	12/21/17	4281	SIEMENS INDUSTRY, INC	21100007600	ST LIGHT REPAIR-NOV	0.00	542.37
TOTAL CHECK							0.00	4,140.76
1011	91653	12/21/17	5365	SILVER ODISH	001	RFND: SB-0632361	0.00	42.50
1011	91654	12/21/17	1789	DEPARTMENT OF INDUSTRIAL	12550005465	FY18 OSIP WRKR COMP	0.00	7,752.67
1011	91655	12/21/17	2858	STEVE KERR	12050005460	2017 GYM REIMB	0.00	139.00
1011	91656	12/21/17	4606	T & T JANITORIAL, INC	00165006570	JANITORIAL SVC-OCT	0.00	3,975.00
1011	91656	12/21/17	4606	T & T JANITORIAL, INC	00165006570	JANITORIAL SVC-NOV	0.00	3,975.00
TOTAL CHECK							0.00	7,950.00
1011	91657	12/21/17	5366	TAYLOR GILDEA	001	RFND: SB-0632360	0.00	42.50
1011	91658	12/21/17	4959	TELECOM LAW FIRM	00150005250	MUN CODE POL#21 UPDTE	0.00	3,612.00
1011	91659	12/21/17	5172	JULIETTE THAYER	12050005460	2017 GYM REIEMB	0.00	356.97
1011	91660	12/21/17	4534	TRAFFIC SUPPLY, INC	00165006540	MID BLOCK	0.00	646.50
1011	91661	12/21/17	5197	TROUTMAN SANDERS LLP	00150005250	PROF SVC PE 11/30	0.00	1,500.00
1011	91661	12/21/17	5197	TROUTMAN SANDERS LLP	00150005250	PROF SVC PE 10/31	0.00	2,812.50
TOTAL CHECK							0.00	4,312.50
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00165006520	PW CELL 11/02-12/01	0.00	4.89
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	21100007600	PW CELL 11/02-12/01	0.00	4.89
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	50900007700	PW CELL 11/02-12/01	0.00	4.89
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00165006540	PW CELL 11/02-12/01	0.00	9.78
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00165006560	PW CELL 11/02-12/01	0.00	9.78
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00165006510	PW CELL 11/02-12/01	0.00	9.78
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00165006530	PW CELL 11/02-12/01	0.00	14.67
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00160006120	FIRE CELL 10/29-11/28	0.00	152.96
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00160006140	CODE CELL 10/29-11/28	0.00	42.30
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	27060006120	FIRE IPAD 10/29-11/28	0.00	114.03
1011	91662	12/21/17	30	VERIZON WIRELESS-SD	00150005450	IT CELL 10/24-11/23	0.00	114.03
TOTAL CHECK							0.00	482.00
1011	91663	12/21/17	5363	W.E.G ENGINEERING	001	RFND:EP#3916/521 GLEN	0.00	2,000.00
1011	91664	12/21/17	4933	GREGORY WADE	12050005460	2017 GYM REIEMB	0.00	480.00
1011	91665	12/21/17	4256	XYLEM DEWATERING SOLUTIO	00165006520	LOW FLOW DIVERTER	0.00	1,212.19







# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Finance  
**SUBJECT:** **Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2017-2018**

## BACKGROUND:

Staff provides a report at each Council meeting that lists changes made to the current Fiscal Year (FY) General Fund Adopted Budget.

The information provided in this Staff Report lists the changes made through December 13, 2017.

## DISCUSSION:

The following table reports the revenue, expenditures, and transfers for 1) the Adopted General Fund Budget approved by Council on June 14, 2017 (Resolution 2017-095) and 2) any resolutions passed by Council that amended the Adopted General Fund Budget.

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES					
As of December 13, 2017					
Action	Description	Revenues	Expenditures	Transfers from GF	Net Surplus
Reso 2017-195	Adopted Budget	17,611,600	(16,932,700)	(372,400) (1)	\$ 306,500
Reso 2017-122	Marine Safety MOU	-	(11,340)	-	295,160
Reso 2017-123	Salary and Comp Plan	-	(75,500)	-	219,660
Reso 2017-126	Miscellaneous MOU	-	(53,600)	-	166,060
(1) Transfers to:					
	Debt Service for Public Facilities		152,400		
	City CIP Fund		220,000	372,400	

## CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

COUNCIL ACTION:

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**FISCAL IMPACT:**

N/A

**WORK PLAN:**

N/A

**OPTIONS:**


- Receive the report.
- Do not accept the report

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council receive the report listing changes made to the FY 2017-2018 General Fund Adopted Budget.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation

  
\_\_\_\_\_  
Gregory Wade, City Manager



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** City Clerk Department  
**SUBJECT:** 2018 City Council Meeting Schedule Planning

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## **BACKGROUND:**

Pursuant to Solana Beach Municipal Code Section 2.04.070, *the City Council shall hold Regular meetings in the Council Chambers of City Hall, on a day and time set by resolution.* Pursuant to Resolution 2005-019, regularly scheduled meetings are established for the second (2<sup>nd</sup>) and fourth (4<sup>th</sup>) Wednesdays of each month. Historically, certain meeting dates that may conflict with official holidays have been cancelled and a short summer break has been observed. Special Meetings may be scheduled to maintain the consistency needed to sustain City operations.

The purpose of this Staff Report is to forecast and review potential holidays, breaks, and possible Special Meeting dates and to establish the 2018 Council Meeting schedule.

## **DISCUSSION:**

Attachment 1 is the City Council's anticipated 2018 Regular Meeting schedule along with potential conflicts to consider for cancellation or, if needed, to establish additional meetings. Consideration of the annual meeting schedule for the purpose of possible modifications facilitates preparation of an anticipated agenda schedule. Additionally, memorializing a plan allows:

- Adequate time for Staff to prepare Staff Reports and a final agenda packet on time.
- Adequate preparation time for Council to review the agenda.
- Sufficient time for public notification of any cancelled/rescheduled meetings.

Therefore, this item is intended to review and consider potential modifications of the *regularly scheduled* 2018 City Council meetings. Any meeting that may be cancelled and rescheduled at this time for planning purposes is not permanent. If a Regular

CITY COUNCIL ACTION:

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Meeting date is cancelled at this time, it is not permanently cancelled and may still take place at its *regularly scheduled* date/time/place, per proper noticing requirements.

Regularly scheduled meetings are intended to provide consistency and to meet the public's general expectations. There are specific noticing requirements for Regular and Special Meeting agendas.

<b>Meeting Types</b>	<b>Agenda Noticing Requirement</b>
Regular Meetings (established by Resolution)	72 hours prior to meeting time.
Special Meetings (called at any time)	24 hours prior to meeting time.

Specific City business is required to take place only at a Regular Council Meeting; therefore, the anticipation of cancelled meetings is necessary to appropriately coordinate meeting agendas, and related business, in order to effectively manage City operations.

Staff recommends that the Council discuss potential schedule conflicts, review proposed recommendations, and provide direction to Staff accordingly in order to prepare a revised calendar for reference and planning.

**CEQA COMPLIANCE STATEMENT:** N/A

**FISCAL IMPACT:** N/A

**WORK PLAN:** N/A

**OPTIONS:**

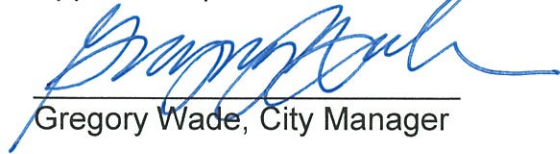
- Review and approve proposed 2018 Council Meeting Schedule.
- Cancel and/or reschedule the Council meeting dates due to conflicts with holidays and summer break.
- Consider cancellation or rescheduling of other dates.
- Do not cancel or reschedule any Council meeting dates.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that City Council review, edit, and/or approve a 2018 interim schedule with proposed cancellations and/or additional meetings.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. 2018 City Council Meeting Proposed Dates
2. 2018 City Council Meeting Proposed Calendar

## 2018 Proposed Council Meeting Dates

### January - June

2 <sup>nd</sup> Wed	January 10 <sup>th</sup>	
4 <sup>th</sup> Wed	January 24 <sup>th</sup>	
2 <sup>nd</sup> Wed	February 14 <sup>th</sup>	
4 <sup>th</sup> Wed	February 28 <sup>th</sup>	
2 <sup>nd</sup> Wed	March 14 <sup>th</sup>	
4 <sup>th</sup> Wed	March 28 <sup>th</sup>	
2 <sup>nd</sup> Wed	April 11 <sup>th</sup>	
4 <sup>th</sup> Wed	April 25 <sup>th</sup>	
2 <sup>nd</sup> Wed	May 9 <sup>th</sup>	
4 <sup>th</sup> Wed	May 23 <sup>rd</sup>	
2 <sup>nd</sup> Wed	June 13 <sup>th</sup>	
4 <sup>th</sup> Wed	June 27 <sup>th</sup>	

### July - December

2 <sup>nd</sup> Wed	July 11 <sup>th</sup>	
4 <sup>th</sup> Wed	July-25 <sup>th</sup> Summer Break	Cancel
2 <sup>nd</sup> Wed	August-8 <sup>th</sup> Summer Break	Cancel
4 <sup>th</sup> Wed	August 22 <sup>nd</sup>	
2 <sup>nd</sup> Tues	September 11 <sup>th</sup>	Special Mtg
2 <sup>nd</sup> Wed	September 12 <sup>th</sup> League Conference Begins	Cancel
4 <sup>th</sup> Wed	September 26 <sup>th</sup>	
2 <sup>nd</sup> Wed	October 10 <sup>th</sup>	
4 <sup>th</sup> Wed	October 24 <sup>th</sup>	
2 <sup>st</sup> Wed	November 14 <sup>th</sup>	
4 <sup>th</sup> Wed	November 28 <sup>th</sup>	
2 <sup>nd</sup> Wed	December 12 <sup>th</sup>	
4 <sup>th</sup> Wed	December-26 <sup>th</sup> Week of Christmas	Cancel

**NOTE:** Any Regular Meeting that is *cancelled* is not a permanent cancellation and may occur at its regularly scheduled time, per required noticing for Regular Meetings (72 hours).



# Solana Beach Council Meeting 2018 Schedule

DRAFT - Will be Finalized 1-10-18 - Always Subject to change at any time

January							February							March						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1 New Yrs	2	3	4	5	6					1	2	3					1	2	3
7	8	9	10 Reg CC Mtg	11 PkRec OBSA	12	13	4	5	6	7	8 PkRec OBSA	9	10	4	5	6	7	8 PkRec OBSA	9	10
14	15 MLK Day BusLias	16	17 CAC	18 B&F	19	20	11	12	13	14 Reg CC Mtg	15 B&F	16	17	11	12	13	14 Reg CC Mtg	15 B&F	16	17
21	22	23	24 Reg CC Mtg	25	26	27	18	19	20	21 CAC	22	23	24	18	19	20	21 CAC	22	23	24
28	29	30	31				25	26	27	28 Reg CC Mtg				25	26	27	28 Reg CC Mtg	29	30	31 Cesar Chavez Day
April							May							June						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
1 Easter	2	3	4	5	6	7														
8	9	10	11 Reg CC Mtg	12 PkRec OBSA	13	14	6	7	8	9 Reg CC Mtg	10 PkRec OBSA	11	12	9	10	11	12	13	14	15
15	16 BusLias	17	18 CAC	19 B&F	20	21	13	14	15	16 CAC	17 B&F	18	19	10	11	12	13 Reg CC Mtg	14 PkRec OBSA	15	16
22	23	24	25 Reg CC Mtg	26	27	28	20	21	22	23 Reg CC Mtg	24	25	26	17	18	19	20 CAC	21 B&F	22	23
29	30						27	28 Memorial Day	29	30	31			24	25	26	27 Reg CC Mtg	28	29	30
July							August							September						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2	3	4 Independence Day	5	6	7				1	2	3	4							1
8	9	10	11 Reg CC Mtg	12 PkRec OBSA	13	14	5	6	7	8 CXL-Reg CC Mtg	9 PkRec OBSA	10	11	2	3 Labor Day	4	5	6	7	8
15	16 BusLias	17	18 CAC	19 B&F	20	21	12	13	14	15 CAC	16 B&F	17	18	9	10	11	12 Reg CC Mtg	13 PkRec OBSA	14	15
22	23	24	25 CXL-Reg CC Mtg	26	27	28	19	20	21	22 Reg CC Mtg	23	24	25	16	17	18	19 CAC	20 B&F	21	22
29	30	31					26	27	28	29	30	31		23	24	25	26 Reg CC Mtg	27	28	29
October							November							December						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat
	1	2	3	4	5	6					1	2	3							1
7	8 Columbus Day	9	10 Reg CC Mtg	11 PkRec OBSA	12	13	4	5	6 General Election	7	8 PkRec OBSA	9	10	2	3	4	5	6	7	8
14	15 BusLias	16	17 CAC	18 B&F	19	20	11	12 Veteran's Day	13	14 Reg CC Mtg	15 B&F	16	17	9	10	11	12 Reg CC Mtg	13 PkRec OBSA	14	15
21	22	23	24 Reg CC Mtg	25	26	27	18	19	20	21 CAC	22 Thanksgiving	23	24	16	17	18	19	20	21	22
28	29	30	31 Halloween				25	26	27	28 Reg CC Mtg	29	30	23	24	25 Christmas Eve	26 CXL-Reg CC Mtg	27	28	29	
													30	31 New Yrs	1 New Yrs	2	3	4	5	

<p><b>City Council</b> 2nd and 4th Wednesdays at 6:00</p> <p><b>Citizen Commission Regularly Scheduled Mtgs.</b></p> <p><b>Budget and Finance</b> 3rd Thursday 6:30 p.m.</p> <p><b>Climate Action</b> 3rd Wednesday 5:30 p.m.</p> <p><b>Parks and Recreation</b> 2nd Thursday 4:00 p.m.</p> <p><b>Public Arts</b> 4th Tuesday 5:30 p.m.</p> <p><b>View Assessment</b> 3rd Tuesday 6:00 p.m.</p> <p>All subject to change - Check with Liaison or ClerkOfC</p>	<p>Various holidays are listed for reference/planning only</p> <p>Business Liaison Standing 3rd Mon Quarterly at 5:00 pm (Jan, Apr, July, Oct)</p> <p>School Relations Standing 1st Thurs Quarterly at 7:30 am (Mar, Jun, Sept, Dec)</p> <p>Public Financing Authority = Council Mtg Sched</p> <p>Housing Authority Reg Mtgs = Council Mtg Sched</p> <p>Successor Agency Reg Mtgs = Council Mtg Sched</p> <p>Oversight Board Reg Mtgs = 2nd Thurs 4:30 p.m.</p> <p>Last Revised 12-26-17</p>	<p>635 S. Highway 101 www.solonabeach.org (858) 720-1111</p> <p>Monday - Thursday 7:30 a.m. - 5:30 p.m. Fridays (alternate) 8:00 a.m. - 5:00 p.m.</p> <p> Holiday City Hall Closed  Closed alternate Fridays</p>
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# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Engineering Department  
**SUBJECT:** **Consideration of Resolution No. 2018-002 Awarding the Circle Drive Sewer Pipeline Replacement Contract**

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## **BACKGROUND:**

The Capital Improvement Project (CIP) Budget makes appropriations to maintain, repair and replace deteriorated and undersized sewer facilities throughout the City. The Engineering and Public Works Staff have been performing regular condition assessments of the sewer system by visual inspection, Closed Circuit Televising (CCTV) and expert evaluation performed by third-party consultants. These assessments are then prioritized for repair or replacement. The City's 2017/18 Sewer Repair Project consists of the replacement of the sewer main within Circle Drive and Driftwood Lane and was designed by in-house City Staff and advertised for public bid in November 2017.

The City received nine bid proposals for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10. Bids were publicly opened and announced by the City Clerk on December 12, 2017. The bid results are summarized in Table 1 on the next page.

This item is before the City Council to consider adoption of Resolution 2018-002 (Attachment 1) that would award a construction contract to Burtech Pipeline, the lowest responsive and responsible bidder, to replace public sewer mains in Circle Drive and Driftwood Lane.

## **DISCUSSION:**

Every year resources are allocated into the Capital Improvement Program for sewer repair and replacement projects. This project would excavate and replace 1,450 linear feet of 6" sewer pipe with 8" sewer pipe in Circle Drive and Driftwood Lane. The existing vitrified clay pipes (VCP) are estimated to be over 60 years old, as this neighborhood was subdivided in 1949. The existing VCP sewer mains have numerous

CITY COUNCIL ACTION:

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sags, cracks and root intrusions. Trenchless lining of the existing pipes is not an option due to the pipe sags, and upgrading the mains from 6" to 8" is recommended. A map of the project location is shown in Attachment 2.

This project was advertised for construction bids on November 2, 2017. The City received nine bid proposals for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10. On December 12, 2017 at 2:00 p.m., the City Clerk opened the bids and read them publicly. The bids are summarized below in Table 1:

**Table 1: Bid Results**

<b>Contractors</b>	<b>Base Bid</b>
Burtech Pipeline, Inc.	\$ 532,226.20
Scott Michael, Inc.	\$ 564,133.67
Beador Construction Company, Inc.	\$ 591,300.00
PAL General Engineering, Inc.	\$ 638,416.00
LB Civil Construction, Inc.	\$ 677,783.00
Bali Construction, Inc.	\$ 704,790.00
Palm Engineering Construction Company, Inc.	\$ 765,205.00
GRBCON, Inc.	\$ 881,440.00
Atlas Underground, Inc.	\$ 890,875.00

The lowest bid submitted by Burtech Pipeline was found to be complete and responsive to the bid specifications. Burtech Pipeline has successfully completed projects for the City in the past. Staff is recommending that Burtech Pipeline be awarded the construction contract. The contract duration is 90 working days (18 weeks) and it is anticipated that the project will be completed by June 2018.

The project includes full pavement overlay and new traffic striping of Circle Drive and Driftwood Lane after replacement of the sewer mains.

**CEQA COMPLIANCE STATEMENT:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(b) of the State CEQA Guidelines.

**FISCAL IMPACT:**

The current Fiscal Year (FY) 2017/18 Capital Improvement Projects budget includes \$500,000 for Sanitary Sewer Pipeline Replacements (CIP-10). The anticipated project costs are listed in Table 2 on the next page. These include previous expenses for a topo survey and bid advertising. In addition to the \$532,226.20 contract amount, Staff is recommending a construction contingency of \$80,000, approximately 15%, for unforeseen conditions and changes, for a total construction budget of \$612,226.20.

**Table 2: Project Budget**

Sanitary Sewer Pipeline Replacements Budget (CIP-11)	\$ 500,000
<b>Expenditures</b>	
Circle Drive topo survey (ROW Engineering) (prior exp.)	\$ 17,710
Bid Advertising (Union Tribune) (prior expense)	604
Construction Contract (Burtech Pipeline)	532,226
Construction Contingency (15%)	80,000
<b>Total Project Cost</b>	<b>\$630,540</b>
Additional Appropriation Needed	\$130,540

As shown in Table 2, the anticipated project costs exceed the CIP budget amount. Staff is recommending an additional appropriation of \$130,540 from the Sanitation Fund.

**WORK PLAN:**

Although this project is not mentioned in the FY 2017/18 Work Plan, it is consistent with the Environmental Sustainability section of the Work Plan.

**OPTIONS:**

- Adopt Staff recommendations and award construction contract.
- Postpone contract award and provide direction to Staff.
- Reject construction bids and provide alternative direction to Staff.

**DEPARTMENT RECOMMENDATION:**

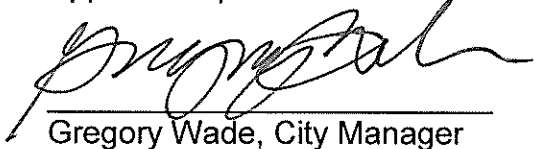
Staff recommends that the City Council adopt Resolution 2018-002:

1. Awarding the construction contract to Burtech Pipeline, Inc., in the amount of \$532,226.20, for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10.
2. Approving an amount of \$80,000 for construction contingency.
3. Authorizing the City Manager to execute the construction contract on behalf of the City.
4. Authorizing the City Manager to approve cumulative change orders up to the construction contingency amount.
5. Authorizing an appropriation of \$130,540 from the Sanitation Fund into the project budget unit.

6. Authorizing the City Treasurer to amend the Fiscal Year 2017/18 Adopted Budget accordingly.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.

A handwritten signature in black ink, appearing to read 'Gregory Wade', is written over a horizontal line.

Gregory Wade, City Manager

Attachments:

1. Resolution No. 2018-002
2. Project location map

## RESOLUTION 2018-002

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AWARDING A CONSTRUCTION CONTRACT TO BURTECH PIPELINE FOR THE CIRCLE DRIVE SEWER PIPELINE REPLACEMENT CONTRACT

**WHEREAS**, the current Fiscal Year (FY) 2017/18 Capital Improvement Program (CIP) budget includes \$500,000 for Sanitary Sewer Pipeline Replacements; and

**WHEREAS**, the City has performed sewer pipeline condition assessments and determined sewer pipelines to be rehabilitated or replaced to improve system reliability; and

**WHEREAS**, on December 12, 2017, nine bids for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10, were received and publicly opened by the City Clerk. At that time, it was determined that Burtech Pipeline was the apparent low bidder with a construction estimate of \$532,226.20; and

**WHEREAS**, Staff recommends a construction contingency of \$80,000 for additional pipeline rehabilitations and unforeseen changes; and

**WHEREAS**, since the anticipated project costs exceed the CIP budget amount, Staff is recommending an additional appropriation of \$130,540 from the Sanitation Fund.

**NOW, THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That the City Council awards the construction contract to Burtech Pipeline, Inc., in the amount of \$532,226.20, for the Circle Drive Sewer Pipeline Replacement, Bid 2017-10.
3. That the City Council approves an amount of \$80,000 for construction contingency.
4. That the City Council authorizes the City Manager to execute the construction contract on behalf of the City.
5. That the City Council authorizes the City Manager to approve cumulative change orders up to the construction contingency amount.

6. That the City Council authorizes an appropriation of \$130,540 from the Sanitation Fund into the project budget unit.
7. That the City Council authorizes the City Treasurer to amend the Fiscal Year 2017/18 Adopted Budget accordingly.

**PASSED AND ADOPTED** this 10th day of January, 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –  
NOES: Councilmembers –  
ABSTAIN: Councilmembers –  
ABSENT: Councilmembers –

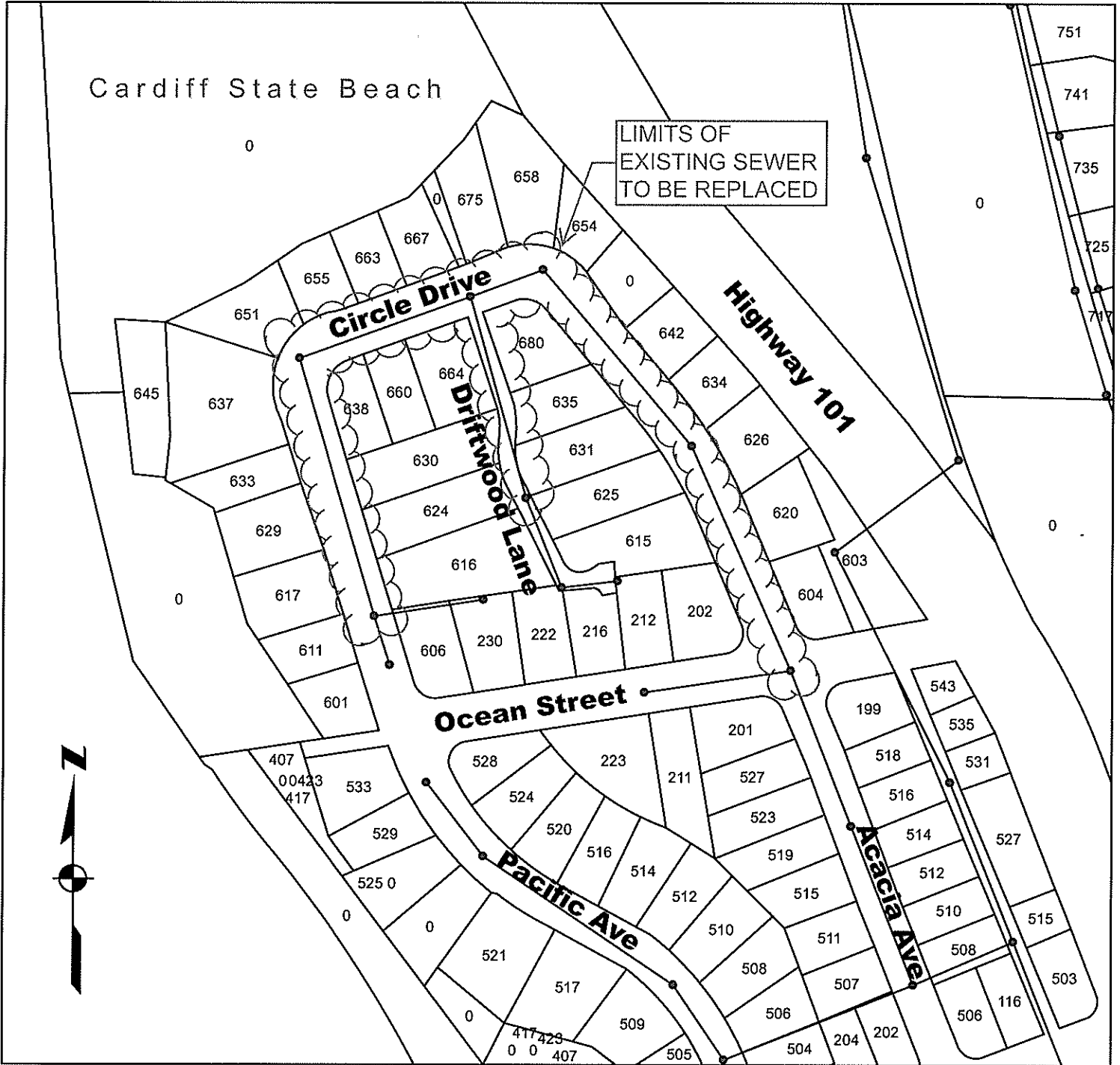
\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk



**Circle Drive & Driftwood Lane  
Sewer Main Replacement Project**





# STAFF REPORT

## CITY OF SOLANA BEACH/SOLANA BEACH SUCCESSOR AGENCY

**TO:** Honorable Mayor/Chair and City Councilmembers/Directors  
**FROM:** Gregory Wade, City Manager/Executive Director  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Finance  
**SUBJECT:** **Consideration of Resolution No. SA-020 Approving the Administrative Budget and Resolution No. SA-021 Approving the Recognized Obligation Payment Schedule (ROPS) both for the Period July 1, 2018 to June 30, 2019**

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### **BACKGROUND:**

As of February 1, 2012, the Solana Beach Redevelopment Agency (the "Agency") was dissolved pursuant to Assembly Bill (AB) 1x26, which was found to be constitutional by the California Supreme Court in its decision in the *California Redevelopment Association v. Matosantos* case. Prior to the dissolution of the Agency, on January 11, 2012, the City Council adopted Resolution 2012-011, electing to become the Successor Agency (SA) to the Agency.

On June 27, 2012, as part of the Fiscal Year (FY) 2012/13 State budget package, the Legislature passed, and the Governor signed, AB 1484, the primary purpose of which was to make technical and substantive amendments to the Dissolution Laws based on experience at the State and local level in implementing that act. As a budget "trailer bill," AB 1484 took immediate effect upon signature by the Governor. AB 1484 made several changes to the process and timing for preparation and approval of a SA's Recognized Obligation Payment Schedule (ROPS).

As part of the FY 2015/16 state budget package, the Legislature passed Senate Bill (SB) 107. As a budget "trailer bill," SB 107 took immediate effect upon signature by the Governor on September 22, 2015. The primary purpose of SB 107 was to make technical and substantive amendments to the Existing Dissolution Law including requiring an annual rather than a biannual ROPS and new administrative cost allocation formulas.

SUCCESSOR AGENCY ACTION: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

This item is before the City Council, in its capacity as the SA, for consideration of Resolutions No. SA-020 (Attachment 1) approving the SA's Administrative Budget for the period of July 1, 2018 to June 30, 2019 and No. SA-021 (Attachment 2) approving the ROPS 18-19 for the period of July 1, 2018 to June 30, 2019.

## **DISCUSSION:**

### **Recognized Obligation Payment Schedule (ROPS)**

The ROPS sets forth the payment amounts needed for the SA to meet its outstanding enforceable obligations for each fiscal year period until all outstanding debt and obligations are paid. The ROPS 18-19 will cover the twelve-month enforceable obligation payment cycle under AB 1x26 as amended by AB 1484 and SB 107 (collectively referred to as the "Dissolution Laws"), and will control distributions from the Redevelopment Property Tax Trust Fund ("RPTTF") to pay enforceable obligations during the period from July 2018 through June 2019. The enforceable obligations in Solana Beach consist primarily of bond payments and payments for legal services for the "The Affordable Housing Coalition of San Diego v Sandoval, et al" and "San Diego County Board of Education (SDCBofE), et al vs Sandoval, et al" cases. Legal costs for the SDCBofE case have been added to the ROPS 18-19 as a new enforceable obligation. For the ROPS 18-19 period, enforceable obligations for which RPTTF will be requested totals \$237,577.

The ROPS 18-19 includes the retirement of the 2006 Tax Allocation Bond (2006 TAB), which was refunded on November 10, 2017, when the 2017 Tax Allocation Refunding Bonds (2017 TAB) were issued. The 2017 TAB has been added to the ROPS 18-19 as a new enforceable obligation. The refunding was previously approved by the Successor Agency at its August 23, 2017 meeting. The Oversight Board then approved the refunding at its August 31, 2017 meeting with a subsequent approval for the refunding received from the Department of Finance (DOF) on October 30, 2017.

The ROPS 18-19 must be prepared on a template form released by the DOF and must be approved by the SA's Oversight Board and transmitted to the DOF and other specified recipients by February 1, 2018. The DOF must approve or disapprove the various enforceable obligations (including payment amounts and funding sources) set forth on an oversight board-approved ROPS 18-19 by April 15, 2018. If necessary, the SA then has five (5) business days to request a "meet and confer" session with the DOF to seek reconsideration by the DOF of any disputed enforceable obligation items.

The DOF meet and confers will generally occur within the following 30-day period, with the DOF required to provide its final determination on ROPS 18-19 enforceable obligations by May 15, 2018 (15 days prior to the next RPTTF distribution). The ROPS 18-19 preparation and approval process will culminate this year with a June 1, 2018 distribution to the SA of RPTTF funds by each county auditor-controller to cover specified administrative costs and for payment of upcoming enforceable obligations during July 2018 through June 2019, along with RPTTF pass-through payments and the distribution of any remaining residual RPTTF funds to other affected taxing entities.

The ROPS 18-19 will be submitted to the Oversight Board for approval at a special meeting on January 23, 2018, with a subsequent submission to the DOF by the February 1, 2018 deadline.

The ROPS 18-19 (Attachment 3) consists almost entirely of items included on ROPS 17-18 and previously approved by the DOF, and also including the retirement of the 2006 TAB and addition of the 2017 TAB.

If necessary, pursuant to SB 107, the annual ROPS can only be amended once and no later than October 1<sup>st</sup> of a given fiscal year.

### **Successor Agency Administrative Budget**

Pursuant to the Dissolution Laws, the SA must also prepare an Administrative Budget (Attachment 4) for the fiscal year for approval by its Oversight Board.

Before the passage of SB 107, the SA was entitled to an administrative cost allowance for a fiscal year equal to the greater of \$250,000 or 3% of the property tax received by the SA from the County Auditor-Controller to make enforceable obligation payments during the fiscal year. In the case of Solana Beach, the SA would receive \$250,000 or \$125,000 for each six-month ROPS period.

Beginning July 1, 2016, the administrative cost allowance is the greater of \$250,000 or up to 3% of the actual property tax distributed to the successor agency in the preceding fiscal year, reduced by the successor agency's administrative cost allowance. However, in no case can the administrative cost allowance exceed 50% of the total Redevelopment Property Tax Trust Fund distributed to pay enforceable obligations in the preceding fiscal year, reduced by administrative costs. In Solana Beach, under the 50% formula, the maximum administrative cost allowance would be \$160,081 for the upcoming ROPS period. This will be the second consecutive fiscal year that the City has not received the minimum \$250,000 allowance. Last year, or FY 2017/18, the City received \$159,674 using the new formula.

This administrative budget must include:

- Estimated amounts for SA administrative costs for the upcoming two six-month periods.
- Proposed sources of payment for such administrative costs, which may include the administrative cost allowance described below, as well as other eligible sources available to the SA.
- Proposals for arrangements for administrative/operations services to be provided to the SA by the Sponsoring Community or other entity.

The Administrative Budget for the period of July 1, 2018 to June 30, 2019 is prepared in conjunction with the ROPS for the same time period.

The administrative budget will also be submitted to the Oversight Board for approval at a special meeting on January 23, 2018. The administrative budget is no longer required to be submitted to the DOF for their approval.

**CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

For the ROPS 18-19 period, enforceable obligations for which RPTTF will be requested totals \$237,577. RPTTF reserves are being requested to pay for enforceable obligations in the amount of \$100,000 as well as the administrative allowance. The maximum administrative cost allowance requested will be \$160,081.

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Staff recommendation.
- Approve Staff recommendation with alternative amendments/modifications.
- Provide direction and feedback.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the Successor Agency:

1. Receive the Successor Agency's enforceable obligations payment information and administrative budget for the period July 1, 2018 to June 30, 2019.
2. Adopt Resolution No. SA-020 approving the SA Administrative Budget for July 1, 2018 to June 30, 2019.
3. Adopt Resolution No. SA-021 approving the ROPS 18-19 for July 1, 2018 to June 30, 2019.

**CITY MANAGER/EXECUTIVE DIRECTOR'S RECOMMENDATION:**

Approve Department Recommendation.



---

Gregory Wade, City Manager/Executive Director

Attachments:

1. Resolution No. SA-020
2. Resolution No. SA-021
3. Recognized Obligation Payment Schedule for the period July 1, 2018 to June 30, 2019.
4. Successor Agency Administrative Budget for the period July 1, 2018 to June 30, 2019.

## SUCCESSOR AGENCY RESOLUTION NO. SA-020

### RESOLUTION OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY APPROVING THE SUCCESSOR AGENCY ADMINISTRATIVE BUDGET FOR FISCAL YEAR 2018-19 AND REQUESTING OVERSIGHT BOARD APPROVAL

**WHEREAS**, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding Assembly Bill X1 26 (the "Dissolution Act") largely constitutional; and

**WHEREAS**, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Solana Beach Redevelopment Agency (the "Former RDA"), were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

**WHEREAS**, on January 11, 2012, the City Council of the City of Solana Beach adopted Resolution No. 2012-011 accepting for the City the role of Successor Agency to the Former RDA (the "Successor Agency"); and

**WHEREAS**, under the Dissolution Act, an oversight board is established for each successor agency to a former redevelopment agency with the responsibility of overseeing the activities of the successor agency and approving certain actions of the successor agency in connection with the successor agency's wind down of the affairs of the former redevelopment agency; and

**WHEREAS**, the oversight board (the "Oversight Board") for the Successor Agency has been duly constituted pursuant to the Dissolution Act; and

**WHEREAS**, Health & Safety Code Section 34177(j) requires the Successor Agency to prepare an Administrative Budget for Fiscal Year 2018/19 and to submit it to the Oversight Board for approval; and

**WHEREAS**, an Administrative Budget for Fiscal Year 2018/19 has been prepared in conformance with State law and has been presented to the Successor Agency.

**NOW, THEREFORE, BE IT RESOLVED**, by the Successor Agency for the Solana Beach Redevelopment Agency, as follows:

**Section 1. Recitals Correct.** The Successor Agency finds that the above Recitals are true and correct and have served as the basis for the findings and approvals set forth below.

**Section 2. Approval of Administrative Budget for Fiscal Year 2018/19.** The Successor Agency hereby approves the Administrative Budget for Fiscal Year 2018/19, attached hereto as Exhibit A.

**Section 3. Request for Oversight Board Approval of Administrative Budget.** The Successor Agency hereby requests the Oversight Board to approve the Administrative Budget for Fiscal Year 2018/19, attached hereto as Exhibit A.

**Section 4. California Environmental Quality Act.** The Successor Agency determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

**Section 5. Further Actions and Documents.** The Executive Director or designee, following consultation with the Agency Counsel, is authorized to take all actions and execute all documents on behalf of the Successor Agency necessary to effectuate the purpose of this Resolution.

**Section 6. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that its board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED, AND ADOPTED** by the Successor Agency to the Solana Beach Redevelopment Agency at its meeting held on the 10<sup>th</sup> day of January 2018, by the following vote:

AYES: Board Member –  
NOES: Board Member –  
ABSENT: Board Member –  
ABSTAIN: Board Member –

\_\_\_\_\_  
GINGER MARSHALL, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, Agency Counsel

\_\_\_\_\_  
ANGELA IVEY, Agency Secretary

**SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SOLANA BEACH**  
**ADMINISTRATIVE BUDGET**  
July 1, 2018 to June 30, 2019

Expenditure Category	Payee	Description	Amount
Salary/Benefits	Various	Employee Salaries and Benefits	126,800
Legal Services	McDougal, Love, et al	Contract for Professional Services-Legal	3,200
Legal Services	Goldfarb & Lipman	Contract for Professional Services-Legal	3,200
Legal Services	Kane, Ballmer & Berkman	Contract for Professional Services-Legal	3,200
Audit	Lance, Sol	Contract for Professional Services-Audit	2,500
Material, Supplies, & Services	Various	Costs - material, supplies and services expenditure categories	1,381
Administrative Charges	City of Solana Beach	Successor Agency share of City's overhead costs	9,600
Claims Liability Charges	City of Solana Beach	Successor Agency share of City's self-insured liability	1,300
Workers Comp Charges	City of Solana Beach	Successor Agency share of City's workers comp liability	2,100
Pension Trust Charges	City of Solana Beach	Successor Agency share of City's pension trust liability	4,000
OPEB Trust Charges	City of Solana Beach	Successor Agency share of City's OPEB liability	2,800
<b>TOTAL</b>			<b>\$ 160,081</b>

1. The Successor Agency has arranged with the City of Solana Beach to provide the staff, material, and equipment needed to administer the Successor Agency. The City will draw upon services of outside consultants to provide special services for the dissolution of the RDA to the extent that City staff lack the necessary expertise or capacity.
2. Activities may be added, revised, or deleted from this listing as needed during the RDA dissolution process.
3. Costs shown for each activity are estimates only. Actual costs required for each activity may be higher or lower than the amount shown, not to exceed the TOTAL maximum amount shown.



## SUCCESSOR AGENCY RESOLUTION NO. SA-021

### RESOLUTION OF THE SUCCESSOR AGENCY FOR THE SOLANA BEACH REDEVELOPMENT AGENCY APPROVING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR FISCAL YEAR 2018-19 AND REQUESTING OVERSIGHT BOARD APPROVAL

**WHEREAS**, on December 29, 2011, the California Supreme Court delivered its decision in *California Redevelopment Association v. Matosantos*, finding Assembly Bill X1 26 (the "Dissolution Act") largely constitutional; and

**WHEREAS**, under the Dissolution Act and the California Supreme Court's decision in *California Redevelopment Association v. Matosantos*, all California redevelopment agencies, including the Solana Beach Redevelopment Agency (the "Former RDA"), were dissolved on February 1, 2012, and successor agencies were designated and vested with the responsibility of winding down the business and fiscal affairs of the former redevelopment agencies; and

**WHEREAS**, on January 11, 2012, the City Council of the City of Solana Beach adopted Resolution No. 2012-011 accepting for the City the role of Successor Agency to the Former RDA (the "Successor Agency"); and

**WHEREAS**, under the Dissolution Act, an oversight board is established for each successor agency to a former redevelopment agency with the responsibility of overseeing the activities of the successor agency and approving certain actions of the successor agency in connection with the successor agency's wind down of the affairs of the former redevelopment agency; and

**WHEREAS**, the oversight board (the "Oversight Board") for the Successor Agency has been duly constituted pursuant to the Dissolution Act; and

**WHEREAS**, Health & Safety Code Sections 34177(l) and 34177(o) require the Successor Agency to submit a Recognized Obligation Payment Schedule ("ROPS") for fiscal year 2018-19 to the San Diego County Auditor-Controller and the California Department of Finance by February 1, 2018, after approval by the Oversight Board; and

**WHEREAS**, a ROPS for Fiscal Year 2018/19 has been prepared in conformance with State law and has been presented to the Successor Agency.

**NOW, THEREFORE, BE IT RESOLVED**, by the Successor Agency for the Solana Beach Redevelopment Agency, as follows:

**Section 1. Recitals Correct.** The Successor Agency finds that the above Recitals are true and correct and have served as the basis for the findings and approvals set forth below.

**Section 2. Approval of ROPS for Fiscal Year 2018/19.** The Successor Agency hereby approves the Recognized Obligation Payment Schedule for Fiscal Year 2018/19, attached hereto as Exhibit A.

**Section 3. Request for Oversight Board Approval of ROPS.** The Successor Agency hereby requests the Oversight Board to approve the Recognized Obligation Payment Schedule for Fiscal Year 2018/19, attached hereto as Exhibit A.

**Section 4. California Environmental Quality Act.** The Successor Agency determines that the activity approved by this Resolution is not a "project" for purposes of CEQA, as that term is defined by Guidelines Section 15378, because this Resolution is an organizational or administrative activity that will not result in a direct or indirect physical change in the environment, per Section 15378(b)(5) of the Guidelines.

**Section 5. Further Actions and Documents.** The Executive Director or designee, following consultation with the Agency Counsel, is authorized to take all actions and execute all documents on behalf of the Successor Agency necessary to effectuate the purpose of this Resolution.

**Section 6. Severability.** If any provision of this Resolution or the application of any such provision to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Resolution that can be given effect without the invalid provision or application, and to this end the provisions of this Resolution are severable. The Successor Agency declares that its board would have adopted this Resolution irrespective of the invalidity of any particular portion of this Resolution.

**Section 6. Effective Date.** This Resolution shall become effective immediately upon its passage and adoption.

**PASSED, APPROVED, AND ADOPTED** by the Successor Agency to the Solana Beach Redevelopment Agency at its meeting held on the 10<sup>th</sup> day of January 2018, by the following vote:

AYES: Board Member –  
NOES: Board Member –  
ABSENT: Board Member –  
ABSTAIN: Board Member –

\_\_\_\_\_  
GINGER MARSHALL, Chair

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, Agency Counsel

\_\_\_\_\_  
ANGELA IVEY, Agency Secretary

**Recognized Obligation Payment Schedule (ROPS 18-19) - Summary**

Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency: Solana Beach  
 County: San Diego

	18-19A Total (July - December)	18-19B Total (January - June)	ROPS 18-19 Total
<b>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</b>			
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 130,040 \$	130,041 \$	260,081
B Bond Proceeds	-	-	-
C Reserve Balance	130,040	130,041	260,081
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 121,747 \$	115,830 \$	237,577
F RPTTF	121,747	115,830	237,577
G Administrative RPTTF	-	-	-
H Current Period Enforceable Obligations (A+E):	\$ 251,787 \$	245,871 \$	497,658

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177 (c) of the Health and Safety code, I hereby  
 certify that the above is a true and accurate Recognized Obligation  
 Payment Schedule for the above named successor agency.

\_\_\_\_\_  
 Name Title  
 /s/ \_\_\_\_\_  
 Signature Date



**Solana Beach Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances**  
**July 1, 2015 through June 30, 2016**  
**(Report Amounts in Whole Dollars)**

A	B	C	D	E	F	G	H	I						
									Fund Sources					
									Bond Proceeds		Reserve Balance		Other	RPTTF
Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin									
	Cash Balance Information for ROPS 15-16 Actuals (07/01/15 - 06/30/16)													
1	Beginning Available Cash Balance (Actual 07/01/15)							Other Beginning FB amount is remaining loan proceeds per cash flow loans from City to Successor Agency						
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during June 2015 and January 2016.	235,815				74,169	1,081							
3	Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16)	26					651,245	Other revenue is interest earned on Bond Reserve account held by trustee and applied to bond payment						
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)					74,169	531,153							
5	ROPS 15-16 RPTTF Balances Remaining	No entry required												
6	Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 + 5)	\$ 235,841	\$ -	\$ -	\$ -	\$ -	\$ 121,173							



**Recognized Obligation Payment Schedule (ROPS 18-19) - Summary**

Filed for the July 1, 2018 through June 30, 2019 Period

Successor Agency: Solana Beach  
 County: San Diego

	18-19A Total (July - December)	18-19B Total (January - June)	ROPS 18-19 Total
<b>Current Period Requested Funding for Enforceable Obligations (ROPS Detail)</b>			
A Enforceable Obligations Funded as Follows (B+C+D):	\$ 130,040	\$ 130,041	\$ 260,081
B Bond Proceeds	-	-	-
C Reserve Balance	130,040	130,041	260,081
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G):	\$ 121,747	\$ 115,830	\$ 237,577
F RPTTF	121,747	115,830	237,577
G Administrative RPTTF	-	-	-
H Current Period Enforceable Obligations (A+E):	\$ 251,787	\$ 245,871	\$ 497,658

Certification of Oversight Board Chairman:  
 Pursuant to Section 34177 (c) of the Health and Safety code, I hereby  
 certify that the above is a true and accurate Recognized Obligation  
 Payment Schedule for the above named successor agency.

\_\_\_\_\_  
 Name Title  
 /s/ \_\_\_\_\_  
 Signature Date

Selma Beach Recognized Obligation Payment Schedule (RDFS 18-19) - RDFS DCHH

July 1, 2018 through June 30, 2019  
(Report amounts in Whole Dollars)

A	B	C	D	E	F	G	H	I	J	K	18-19A (July - December)						18-19B (January - June)									
											L	M	N	O	P	Q	R	S	T	U	V	W	18-19A		18-19B	
																							Bond Proceeds	Reserve Balance	Other Funds	RP11F
Item #	Project Name/Description	Obligation Type	Contract/Agreement Execution Date	Contract/Agreement Distribution Date	Payee	Description/Other Info	Project Area	Total Occurrence Date Occurrence	RPFS 18-19 Total	Bond Proceeds	Reserve Balance	Other Funds	RP11F	Admin RP11F	Total	Bond Proceeds	Reserve Balance	Other Funds	RP11F	Admin RP11F	Total					
1	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	4,000	4,000					4,000											
2	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	2,500	2,500					2,500											
3	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	1,500	1,500					1,500											
4	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	60,000	60,000					60,000											
5	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	150,000	150,000					150,000											
6	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	80,000	80,000					80,000											
7	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
8	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	17,000	17,000					17,000											
9	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
10	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
11	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
12	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
13	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
14	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
15	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
16	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
17	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
18	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
19	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
20	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											
21	2017-18-19A	Special District	07/01/18	07/01/18	City of Selma Beach	General Fund	City of Selma Beach	07/01/18	15,000	15,000					15,000											



**Solana Beach Recognized Obligation Payment Schedule (ROPS 18-19) - Report of Cash Balances**  
**July 1, 2015 through June 30, 2016**  
**(Report Amounts in Whole Dollars)**

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation. For tips on how to complete the Report of Cash Balances Form, see <a href="#">L.A.S.D. 2015-16 Report of Cash Balances Form</a> .		A	B	C	D	E	F	G	H	I
		Fund Sources								
		Bond Proceeds		Reserve Balance			Other		RPTTF	
		Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS period balances and DDR RPTTF balances retained	Prior ROPS RPTTF distributed as reserve for future period(s)	Rent, grants, interest, etc.			Non-Admin and Admin	Comments
1	Beginning Available Cash Balance (Actual 07/01/15)									
2	Revenue/Income (Actual 06/30/16) RPTTF amounts should tie to the ROPS 15-16 total distribution from the County Auditor-Controller during June 2015 and January 2016.	235,815				74,169			1,081	Other Beginning FB amount is remaining loan proceeds per cash flow loans from City to Successor Agency
3	Expenditures for ROPS 15-16 Enforceable Obligations (Actual 06/30/16)	26							651,245	Other revenue is interest earned on Bond Reserve account held by trustee and applied to bond payment
4	Retention of Available Cash Balance (Actual 06/30/16) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)					74,169			531,153	
5	ROPS 15-16 RPTTF Balances Remaining			No entry required						
6	Ending Actual Available Cash Balance (06/30/16) C to G = (1 + 2 - 3 - 4), H = (1 + 2 - 3 - 4 + 5)	\$ 235,841	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 121,173	



SUCCESSOR AGENCY OF THE REDEVELOPMENT AGENCY OF THE CITY OF SOLANA BEACH  
 ADMINISTRATIVE BUDGET  
July 1, 2018 to June 30, 2019

Expenditure Category	Payee	Description	Amount
Salary/Benefits	Various	Employee Salaries and Benefits	126,800
Legal Services	McDougal, Love, et al	Contract for Professional Services-Legal	3,200
Legal Services	Goldfarb & Lipman	Contract for Professional Services-Legal	3,200
Legal Services	Kane, Ballmer & Berkman	Contract for Professional Services-Legal	3,200
Audit	Lance, Sol	Contract for Professional Services-Audit	2,500
Material, Supplies, & Services	Various	Costs - material, supplies and services expenditure categories	1,381
Administrative Charges	City of Solana Beach	Successor Agency share of City's overhead costs	9,600
Claims Liability Charges	City of Solana Beach	Successor Agency share of City's self-insured liability	1,300
Workers Comp Charges	City of Solana Beach	Successor Agency share of City's workers comp liability	2,100
Pension Trust Charges	City of Solana Beach	Successor Agency share of City's pension trust liability	4,000
OPEB Trust Charges	City of Solana Beach	Successor Agency share of City's OPEB liability	2,800
<b>TOTAL</b>			<b>\$ 160,081</b>

1. The Successor Agency has arranged with the City of Solana Beach to provide the staff, material, and equipment needed to administer the Successor Agency. The City will draw upon services of outside consultants to provide special services for the dissolution of the RDA to the extent that City staff lack the necessary expertise or capacity.
2. Activities may be added, revised, or deleted from this listing as needed during the RDA dissolution process.
3. Costs shown for each activity are estimates only. Actual costs required for each activity may be higher or lower than the amount shown, not to exceed the TOTAL maximum amount shown.



# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** City Clerk  
**SUBJECT:** **Consideration of Resolution 2018-001 – Approving an Increase to Temporary Staff Funding**

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### **BACKGROUND:**

The City Clerk's Department has had a vacancy in the front desk administrative assistant position since February 2017. Temporary staffing has been utilized to backfill the position. Temporary services were obtained typically by two agencies, Apple One and Office Team. The total funds spent with Apple One, with a few payments pending, has totaled just under \$25,000. The forecasted additional costs are estimated to be \$20,000.

This item is before Council to consider adoption of Resolution 2018-001 (Attachment 1) to provide necessary temporary staff funding for coverage of the vacant Administrative Assistant in the City Clerk's Office.

### **DISCUSSION:**

#### *Temporary Staffing Costs - Administrative Assistant vacancy*

Temporary staffing services have continued to be used to provide coverage for the vacant Administrative Assistant position in the City Clerk's Department. Throughout Fiscal Year 2017-18, Apple One or Office Team has been utilized for these services, depending on temporary candidate availability. Council approval for continued use of these services is required as the total cost for Apple One will soon exceed the City Manager's approval authority.

To date, total funds spent with Apple One, with a few payments pending, has totaled just under \$25,000. Forecasted costs, until a permanent hire has been made, are

COUNCIL ACTION:

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estimated to be an additional \$20,000 with Apple One. It is anticipated that the hiring process for a full time permanent employee will begin in January 2018.

Staff is requesting that Council approve the additional \$20,000 expenditure, for a total of \$45,000, with Apple One.

**CEQA COMPLIANCE STATEMENT:** N/A

**FISCAL IMPACT:**

This position is budgeted for a base salary and benefits of \$75,900 and \$24,999 has been spent, to date. There are sufficient savings in salaries and benefits due to this vacancy to cover the cost of temporary help. Currently, staffing coverage is provided by Apple One, however, until the position is filled, it could be provided by another agency, if necessary.

**WORK PLAN:** N/A

**OPTIONS**

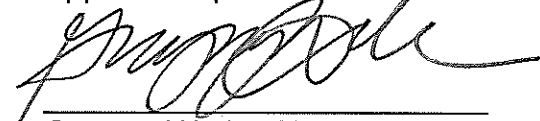
- Approve Staff recommendation.
- Approve Staff recommendation with alternative amendments / modifications.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2018-001 ratifying total expenditures for temporary staffing coverage in the amount of \$45,000 with Apple One.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



\_\_\_\_\_  
Gregory Wade, City Manager

Attachments:

1. Resolution 2018-001

**RESOLUTION 2018-001**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING AN INCREASE IN FUNDING FOR TEMPORARY STAFFING**

**WHEREAS**, the City Clerk's Department Administrative Assistant position has been vacant since February 2017; and

**WHEREAS**, the vacancy within the City Clerk's Department has required the assistance of temporary help from temporary staffing agencies to cover the position; and

**WHEREAS**, temporary staffing coverage for the department position for Fiscal Year 2017-18, until an estimated hire date in April 2018, is an estimated cost of \$45,000; and

**WHEREAS**, the total cost exceeds the City Manager's purchasing authority.

**NOW, THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the above recitations are true and correct.
2. That City Council ratifies the total expenditure of \$45,000 with Apple One for temporary staffing or, if necessary, another staffing agency.

**PASSED AND ADOPTED** this 10<sup>th</sup> day of January, 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

AYES: Councilmembers –  
NOES: Councilmembers –  
ABSTAIN: Councilmembers –  
ABSENT: Councilmembers –

\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk

**Item A.7.**

Minutes of the City Council Meeting

October 11, 2017 Meetings

November 8, 2017 Meetings

November 15, 2017 Meetings

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



# MINUTES

**Joint Meeting - Closed Session**

**Wednesday, October 11, 2017 \* 5:00 p.m.**

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

Hyatt Regency Atlanta, 265 Peachtree Street NE, Atlanta, GA 30303 (Edson)

Minutes contain a summary of significant discussions and formal actions taken at a City Council meeting.

<b><u>CITY COUNCILMEMBERS</u></b>	
<b>Mike Nichols, Mayor</b>	
<b>Ginger Marshall, Deputy Mayor</b>	<b>David A. Zito, Councilmember</b>
<b>Jewel Edson, Councilmember</b>	<b>Judy Hegenauer, Councilmember</b>

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

**CALL TO ORDER AND ROLL CALL:**

Mayor Nichols called the meeting to order at 5:00 p.m.

- Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer
- Absent: None
- Also Present: Gregory Wade, City Manager  
Johanna Canlas, City Attorney

**PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):**

*Report to Council Chambers and submit speaker slips to the City Clerk before the meeting recesses to closed session.*

**CLOSED SESSION:**

- 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION**  
Pursuant to Government Code Section 54957  
City Manager review.
- 2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**  
Pursuant to Government Code Section 54956.9(d)(2)  
Two (2) Potential case(s).

**ACTION:** No reportable action.

**ADJOURN:**

Mayor Nichols adjourned the meeting at 5:45 p.m.

Angela Ivey, City Clerk

Approved: \_\_\_\_\_



# CITY OF SOLANA BEACH

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



## MINUTES

Joint REGULAR Meeting

Wednesday, October 11, 2017 \* 6:00 P. M.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California  
Hyatt Regency Atlanta, 265 Peachtree Street NE, Atlanta, GA 30303 (Edson)

- 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

**Mike Nichols, Mayor**

**Ginger Marshall, Deputy Mayor**

**David A. Zito, Councilmember**

**Jewel Edson, Councilmember**

**Judy Hegenauer, 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:**

Mayor Nichols called the meeting to order at 6:00 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer  
Absent: None  
Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk,  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Corey Andrews, Principal Planner  
Danny King, Assistant City Manager

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

Johanna Canlas, City Attorney, stated that there was no reportable action.

**FLAG SALUTE:**

**APPROVAL OF AGENDA:**

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.  
**Approved 5/0.** Motion carried unanimously.

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

- Great Shakeout

Mayor Nichols presented a proclamation to Fire Chief Mike Stein. Chief Stein reviewed basic tips for earthquakes and reported on local fire fighters assisting in hurricane relief and current California wildfires.

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

- San Elijo Restoration

Doug Gibson, title, San Elijo Lagoon Conservancy, presented a PowerPoint (on file).

**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.

Assemblyman Todd Gloria reviewed the passage of SB1 (Legislative Transportation Package) for transportation projects for the San Diego region, the Cap-and-Trade program extension until 2030, and support for the CCA (Community Choice Aggregation).

### **COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:**

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

#### **A. CONSENT CALENDAR:** (Action Items) (A.1. - A.4.)

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 September 9 – 22, 2017.

Item A.1. 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.*

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.

**Approved 5/0.** Motion carried unanimously.

#### **A.2. General Fund Adopted Budget for Fiscal Year 2017-2018 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

Item A.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.*

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.

**Approved 5/0.** Motion carried unanimously.

#### **A.3. 2016 Sewer Pipeline Repairs Notice of Completion.** (File 1040-36)

Recommendation: That the City Council

1. Adopt Resolution 2017-142
  - a. Authorizing the City Council to accept as complete the 2016 Sewer Repair Project, Bid No. 2016-04, performed by Sancon Technologies.
  - b. Authorizing the City Clerk to file a Notice of Completion.

Item A.3. 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.*

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.  
**Approved 5/0.** Motion carried unanimously.

#### **A.4. Minutes of the City Council.**

Recommendation: That the City Council

1. Approve the Minutes of the City Council Meetings held June 28, 2017.

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)

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.  
**Approved 5/0.** Motion carried unanimously.

#### **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. 246 Barbara Avenue, Applicants: Kristin Brinner & Chris Novak, Case 17-16-07.** (File 0600-40)

Recommendation: The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 2017-069** conditionally approving a DRP to demolish the existing residence and construct a new 2,857 square foot, two-story, single-family residence with an attached carport and associated site improvements at 246 Barbara Avenue, Solana Beach.

Item B.1. Report (click here)

B.1. Updated Report #1

B.1. Supplemental Documents (as of 10-11-17, 1:30pm)

*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.*

Greg Wade, City Manager, introduced the item.

Corey Andrews, Principal Planner, presented a PowerPoint (on file).

Kristin Brinner, applicant, stated that they updated the landscape plan to remove a tree and shrubs that the neighbor had objected to, that they had come to an agreement with the neighbors to not increase the bulk, size, and scale of the home, install the solar panels so that they were flat on the roof minimizing any increase in height.

Randy Howell said he lived adjacent to the property, that the story poles helped provide visual evidence that was needed by the neighbors, and that the opposing neighbors had come to an agreement with the applicants.

Council discussed that the revised landscape plan that was certified by the City's 3<sup>rd</sup> party consultant, would have lower water use than before, that the story poles helped with a better understanding of the project, and that solar panels would be a condition as governed by state law.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to close the public hearing. **Approved 4/0/1** (Recused: Nichols) Motion carried.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve. **Approved 4/0/1** (Recused: Nichols) Motion carried.

**B.2. Introduce (1<sup>st</sup> Reading) Ordinance 481 Related to Regulations for Wireless Communication Facilities and Consider Revisions to Council Policy 21.** (File 0610-10)

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. Introduce **Ordinance 481**
  - a. Finding the project exempt from the California Environmental Quality Act pursuant to Sections 15378 and 15061(b)(3) of the State CEQA Guidelines; and
  - b. Amending SBMC §17.60.120(G)
3. Adopt **Resolution 2017-151** approving revisions to Council Policy No. 21

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

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Johanna Canlas, City Attorney, read the title of the ordinance.

Mayor Nichols opened public hearing.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to close the public hearing. **Approved 5/0.** Motion carried unanimously.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve.  
**Approved 5/0.** Motion carried unanimously.

**C. STAFF REPORTS:** (C.1. - C.5.)

*Submit speaker slips to the City Clerk.*

**C.1. Community Choice Aggregation (CCA) Development and Implementation.** (File 1010-40)

Recommendation: That the City Council

1. Authorize the City to move into Phases 2 and 3 of CCA program development and implementation.

Item C.1. Report (click here)

C.1. Supplemental Documents (as of 10-11-17, 5:45pm)

*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.*

Greg Wade, City Manager, introduced the item and stated that this had started around 2010-2011 with a lot of work being done over time including putting together a feasibility or technical study to look carefully at options there were for the City to embark on this opportunity. He said that several models were studied and the focus was to proceed with a cost effective option without putting any costs on the tax payers or exposing the City's general fund to risk, that Joint Powers Authorities (JPAs) could be expensive to fund and start up so the best opportunity for the City to pursue was to look at a City-only CCA, leaving open the possibility of a JPA or a hybrid JPA that could be pursued with other cities within the county of San Diego in the future.

Dan King, Assistant City Manager, presented a PowerPoint (on file).

John Putz, The Energy Authority, TEA, continued the same PowerPoint (on file)

Dan King, Assistant City Manager, continued the PowerPoint

Jim Wang said he was with the Encinitas Environmental Committee but was speaking for himself, that he encouraged Solana Beach to go ahead with implementing Phases 2 and 3, that 13% revenue retention was large and would allot funding to parks, home efficiency upgrades, rebates, and that residents should be able to choose the type of power they desired (solar, wind, coal, etc.).

Patti Larchet said she was a resident and Board Member of the Climate Action Campaign, that 70 cities and 9 counties already had experience in this area, and asked Council to pass Phases 2 and 3.

Al Evans said that things were moving too fast and there were many unknowns, that he wanted to know the down side and risks to the City and rate payers, why the City was not working with other north county cities, and how it would impact SDG&E costs.

Dave Clemmons (time donated by Cindi Clemmons) said that choice was good, that other choices were available through Sempra and SDG&E eco choices, that he supported forming a CCA but did not support it at this time, to let the City of San Diego forge their CCA against SDG&E first and monitor their success and learn from their lessons, to consider forming a regional CCA alliance with other north county cities to share the risks, and to hold off until next summer to allow the PCIA ruling to be settled and determine that impact.

Lane Sharman (time donated by Erica Morgan) said that he moved to Solana Beach in 2008 and joined the Clean & Green Committee, that he was the co-founder of San Diego Energy District, that Marin Clean Energy launched the first CCA in 2010, to resolve who would be the banking resource handling the lock box, and asked Council to approve with unanimous vote.

Nicole Capretz, Climate Action Campaign, said that she was in favor of Community Choice that the City should not delay.

Lindsey Bazzet read a letter from her husband Torgen Johnson that said that public was stuck with huge expenses and risks of a nuclear power plant delivered by power utilities, to give the community a voice and a choice, and recommended that Council proceed.

Mary Yang said that she was trained as a PhD Scientist and was Co-Founder of a Bio-Tech Company and that she had attended a Science and Policy discussion at Scripps Institute regarding climate change, that solution to avert a catastrophe was to scale up community plans which included CCA's, that the City did not need to wait for San Diego, and urged Council to move forward.

Ty Tosdal said that he urged Council to move forward with CCA program, that he looked forward to being a customer, that moving forward now would not preclude forming an alliance with other cities or counties in the future.

Kelly Harless stated that this was not a fast tracked process and that the City and community had been talking about it for a long time in a transparent fashion, that she did not have the expertise to recommend approval or postponement but that she was confident with the research completed and data gathered, and that Council would make the right.

*Mayor Nichols recessed the meeting for a break at 8:05 p.m. and reconvened at 8:16 p.m.*

Council and Staff discussed PCIA, updated annual basis, IOUs, that Phase 2 would involve the City paying for consultants up to \$156k, that additional costs would be absorbed by the CCA and not by the City, that Staff costs had been factored into the proforma which could be adjusted down, planning for risks, that it was fiscally conservative as the City's general funds were not at risk, and that all CCA's had been successful so far so the lock box had not been legally tested.

Discussion continued regarding other capital outlay, that Lancaster took a loan from the City to start and was paid back quickly due to operational revenue, that energy markets

were very liquid, that the City was large enough, that the consultant was a nonprofit designed to service public entities, that it was the right move for the City, and that SDG&E now offered 100% because CCA's had formed.

Deputy Mayor Marshall said that she still had some concerns about PCIA charges, to partner up with a JPA format of other cities, that she had solar panels, and that she could not support it at this time.

**Motion:** Moved by Councilmember Hegenauer and second by Councilmember Zito to approve. **Approved 4/1** (Noes: Marshall) Motion carried.

**C.2. Lomas Santa Fe / I-5 Pedestrian and Bicycle Improvements.** (File 0820-75)

Recommendation: That the City Council

1. Receive this report and provide further direction if necessary.

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

[C.2. Supplemental Documents \(as of 10-10-17, 12pm\)](#)

*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.*

Greg Wade, City Manager, introduced the item

Mo Sammak, Public Works/Engineering Dir., presented a PowerPoint (on file).

Council discussion.

**C.3. Marine Safety Center Preliminary Design Request for Proposals.** (File 0730-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-146** authorizing the City Engineer to issue a Request for Proposals for preliminary engineering and discretionary permit processing for the Marine Safety Center at Fletcher Cove Park.

[Item C.3. 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.*

Greg Wade, City Manager, introduced the item.

Mo Sammak, Public Works/Engineering Dir., presented a PowerPoint (on file).

Council and Staff discussed the size of the project.

**C.4. Glencrest Drive Emergency Storm Drain Relocation and Drainage Easement Vacation.** (File 0850-40)

Recommendation: That the City Council

1. Adopt **Resolution 2017-144:**
  - a. Receiving this report detailing the specifics of the emergency nature of this project;



- b. Making a finding, based on substantial evidence set forth in the Staff Report, that an emergency existed in the City due to the public safety hazard posed by the sink hole and potential roadway impacts from diverting the storm runoff onto the roadway, that the emergency did not permit a delay resulting from a competitive solicitation for bids, and that the action was necessary to respond to the emergency;
  - c. Ratifying the City Manager's decision for the emergency storm drain repairs located at 473 and 521 Glencrest Drive and relocating the storm drain system into the street right-of-way under the authority of Section 3.08.060 of the Solana Beach Municipal Code (SBMC) which states that the City Manager may make emergency purchases that exceed \$25,000 in response to conditions that endanger life, health or safety and that those emergency purchases are free from the provisions of Chapter 3.08 of the SBMC;
  - d. Authorizing the City Manager to pay all invoices associated with the emergency storm drain repairs located at 473 and 521 Glencrest Drive and relocating the storm drain system into the street right-of-way;
  - e. Authorizing the City Council to accept as complete the Glencrest Drive emergency storm drain repairs performed by PAL General Engineering and authorizing the City Clerk to file a Notice of Completion.
2. Adopt **Resolution 2017-150**:
- a. With respect to the drainage easement vacation described in the legal description marked as Exhibit "A," and shown on Exhibit "B," finding:
    - i) The easement has been superseded by relocation and there are no other public facilities located within the easement.
    - ii) The public facility or purpose for which the easement was originally acquired will not be detrimentally affected by the vacation or the purpose for which the easement was acquired no longer exists.
  - b. Approving the Drainage Easement Vacation, more particularly described in the legal description marked as Exhibit "A," and shown on Exhibit "B," which are by this reference incorporated herein and made a part hereof, is ordered vacated.
  - c. Authorizing the City Clerk to record a certified copy of this resolution with attached exhibits, attested by the City Clerk under seal, in the Office of the County Recorder.

Item C.4. 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.*

Greg Wade, City Manager, presented a PowerPoint (on file).

Joe Kellejian said that the sink hole was between his neighbor's garage and his home, that he supported the resolutions, it was important that the City have a list of what is owned by the City and the properties' conditions to prevent something like this, and asked what the composition of the walk way would be, and if the City was going to maintain the pedestrian walkway on this corner.

Staff said that the plan was to install decomposed granite and that construction and that the area would be maintained by the City.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**C.5. City Manager Employment Contract.** (File 0530-15)

Recommendation: That the City Council

1. Adopt **Resolution 2017-152** authorizing the Mayor to execute the Second Amendment to the employment agreement between the City of Solana Beach and Gregory Wade to reflect the three percent increase in base salary and the additional two thousand dollars towards deferred compensation.

Item C.5. Report (click here)

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Johanna Canlas, City Attorney, recited the resolution content.

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Marshall to approve and remove the term limit on this contract and add a clause that outlines severance in a separation agreement. **Approved 5/0.** Motion carried unanimously.

**ADJOURN:**

Mayor Nichols adjourned the meeting at 9:45 p.m.

Angela Ivey, City Clerk

Approved: \_\_\_\_\_

# CITY OF SOLANA BEACH

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



## MINUTES

Joint Meeting - Closed Session

Wednesday, November 8, 2017 \* 5:00 p.m.

City Hall / Council Chambers, 635 S. Highway 101, Solana Beach, California  
Teleconference Location: 401 E 13th Street, Vancouver, WA. 98660 (Zito)

### CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 5:00 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson

Absent: None

Also Present: Gregory Wade, City Manager  
Johanna Canlas, City Attorney

### PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):

*Report to Council Chambers and submit speaker slips to the City Clerk before the meeting recesses to closed session.*

### CLOSED SESSION:

#### 1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957

City Manager review.

**ACTION:** No reportable action.

#### 2. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION

Pursuant to Government Code Section 54956.9(d)(1)

- City of Solana Beach, et al v. 22<sup>nd</sup> District Agricultural Association, et. al (Case No. 37-2011-00091464-CU-WM-CTL)

**ACTION:** The City Council authorized the City Manager to execute an agreement for the settlement of the case that the City of Solana Beach filed against the 22<sup>nd</sup> Agricultural District Association. The settlement agreement will be available once it has been executed.

- Beach & Bluff Conservancy v. City of Solana Beach, California Coastal Commission, Surfrider (Case No. 37-2013-00046561-CU-WM-NC)

- Homeowners Associations: Solana Beach & Tennis Club, Del Mar Beach Club, Surfson, Seascape Shores, Seascape Chateau, Seascape Surf, Del Mar Shores Terrace v. City of Solana Beach (Case 37-2013-00046245-CU-WM-NC)

**ACTION:** No reportable action.

**3. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9(d)(2)

Two (2) Potential case(s).

**ACTION:** No reportable action.

**ADJOURN:**

Mayor Nichols adjourned the meeting at 5:30 p.m.

Angela Ivey, City Clerk

Approved: \_\_\_\_\_

# CITY OF SOLANA BEACH

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



## MINUTES

Joint REGULAR Meeting

Wednesday, November 8, 2017 \* 6:00 P. M.

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

Teleconference Location: 401 E 13th Street, Vancouver, WA. 98660 (Zito)

- 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](#).

### CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 6:00 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer

Absent: None

Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Angela Ivey, City Clerk,  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Bill Chopyk, Community Development Dir.  
Dan King, Assistant City Manager

### CLOSED SESSION REPORT: (when applicable)

Johanna Canlas, City Attorney, said that the City Council authorized the City Manager to execute an agreement for the settlement of the case that the City of Solana Beach filed against the 22<sup>nd</sup> Agricultural District Association. The settlement agreement will be available once it has been executed.

### FLAG SALUTE:

### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

1. Red Ribbon Week

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

1. Sheriff's Captain Update - John Maryon, Sheriff's Captain.

**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.

Susan McEachern – Friends of the Library

**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 July 12, 2017, August 23, 2017, and September 12, 2017.

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)

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for September 23 – October 20, 2017.

Item A.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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**A.3. General Fund Adopted Budget for Fiscal Year 2017-2018 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

[Item A.3. 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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**A.4. Housing Successor Annual Report for Fiscal Year 2015-16.** (File 0115-30)

Recommendation: That the City Council

1. Adopt **Resolution 2017-155** approving the Housing Successor Annual Report for Fiscal Year 2015/16 as submitted and directing City Staff to file the report with a resubmittal of the 2016 Annual Housing Element Progress Report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

[Item A.4. 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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**A.5. Other Postemployment (OPEB) Actuarial Valuations Agreement.** (File 0350-55)

Recommendation: That the City Council

1. Adopt **Resolution 2017-154** authorizing the City Manager to approve a Professional Services Agreement with Bartel Associates for a three year term to provide actuarial valuation services for Fiscal Year 2016-17 through Fiscal Year 2018-19 for an amount not to exceed \$33,000.

[Item A.5. 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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**A.6. Stevens & Valley Avenues Corridor Improvement Project Notice of Completion.** (File 0820-15)

Recommendation: That the City Council

1. Adopt **Resolution 2017-162:**
  - a. Authorizing the City Council to accept as complete the Stevens and Valley Avenues Street Improvements, Bid No. 2016-09, constructed by Dick Miller Inc.
  - b. Authorizing the City Clerk to file a Notice of Completion.

[Item A.6. 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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**A.7. Sewer System Inflow Study Agreement with Infrastructure Engineering.** (File 1040-44)

Recommendation: That the City Council

1. Adopt **Resolution 2017-160** authorizing the City Manager to execute a Professional Services Agreement with Infrastructure Engineering Corporation (IEC), in the amount of \$24,805, to conduct sewer system inflow smoke testing of the Eden Gardens area.

Item A.7. 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.*

**Motion:** Moved by Councilmember Edson and second by Deputy Mayor Marshall to approve. **Approved 5/0.** Motion carried unanimously.

**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: Solana Beach Public Recreation Impact Fee Study and Related Local Coastal Program (LCP) Land Use Plan (LUP) Amendment.** (File 0610-12)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Receive public testimony, Close the public hearing.
2. Adopt **Resolution 2017-156** providing direction on the City's Public Recreation Impact Fee Study and Local Coastal Program Land Use Amendment as modified by the California Coastal Commission on May 11, 2017.

Item B.1. Report (click here)

B.1. Supplemental Documents (11-8-17 updated 405pm) - R

*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.*

Greg Wade, City Manager, introduced the item.

Leslea Meyerhoff, Staff Consultant, presented a PowerPoint (on file).



Arie Spangler asked Council to not adopt this resolution and to continue in order to reach an acceptable compromise.

Chandra Slaven said that she was speaking on behalf of Jon Corn, who could not attend, and said that the City had the right to additional time to review this issue before adopting it, that the Coastal Commission gave themselves an additional year to review this decision, and that he would ask Council not to adopt this resolution at this time.

David Winkler (time donated by Ron Lucker) said that the California Coastal Commission had issued a number of modifications and was doing it again, that the City had spent \$120k looking at this matter carefully and made recommendations that were reached as a compromise, the City conducted a study that Coastal ignored, and that the City should reject the 3 new modifications. He said that the study was regarding the number of people on the beach but should include the factor of the beach area and population recounts, and to not adopt this resolution at this time.

Jim Jaffee said that north of Fletcher cove the bluffs were owned by the City and seawalls were built on City property, that south of Fletcher Cove the majority had been granted easements for public recreation and were controlled by the City, and that seawalls were being built on public property to protect private property. He said that the BBC and property owners had filed multiple law suits and would not be happy with any fee, they sued the City on the bases of fees, and that it should be adopted with the suggested modifications.

Robert Shoecraft said he was the lawyer representing Mr. Steinberg, to take advantage of the time and continue the review of this matter, and that this was not the first time that the Coastal Commission had tried to force this issue on the City.

Chris Hamilton said he was the Chair of Beach and Bluff Conservancy, that they had sued over what was being discussed tonight, the suggested modifications from the coastal commission, and that it if was approved this time again, that it was likely there would reluctantly be another suit filed, and that the money spent fighting over this issue would be used for other items that the City needed.

Jack Mariani said that he had a house on the bluff, that he did not understand any of the legal matters discussed tonight, that he felt that the beach should be open to everyone, and that they were being assessed heavily for the property they bought on behalf of everyone.

Council disclosures.

Council discussed geographic segmentation possibility for the LCP, that the City had to balance constituents' needs and public access, that Coastal was doing their own study with NOAA as a statewide study that may not take into account the local issues, that it might even result in a higher number, that it was important to maintain local control, and move forward with geographic segmentation and one-year extension.

**Motion:** Moved by Mayor Nichols and second by Deputy Mayor Marshall to close the public hearing. **Approved 5/0.** Motion carried unanimously.

**Motion:** Moved by Mayor Nichols and second by Deputy Mayor Marshall to approve to neither accept nor decline the suggested modifications, trigger the one-year extension, work with Coastal Staff to analyze the data (33% v. 67%), continue the collection of fees for \$1,000 per linear foot, move forward with geographical segmentation, and proceed with preparing the LIP (Local Implementation Plan). **Approved 5/0.** Motion carried unanimously.

**B.2. Public Hearing: Introduce (1st Reading) Ordinance 482 Related to Minimum Average Workspace.** (File 0610-10)

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. Introduce **Ordinance 482** adding Section 17.60.200 to the SBMC to establish a minimum average workspace of at least 125 square feet per employee working in a business space.

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

[B.2. Updated Report #1](#)

[B.2. Supplemental Documents \(11-8-17 updated 300pm\) - R](#)

*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.*

Greg Wade, City Manager, introduced the item and said about a year ago this issue came up and imposed a similar condition on a commercial/mixed-use project and subsequent discussion lead to this item.

Katie Benson, Associate Planner, presented a PowerPoint (on file).

Mayor Nichols opened the public hearing.

Louise Abbott said that this ordinance confused her, that she did not understand the need to have a specific square footage in place for every employee, that if the issue was office space parking that it should be the topic, and that this was too restrictive of square footage per person in a given office space.

Brad Jacobs said that the Wedbush building employees parked in front of his house all the way to top of Nardo all day, that the building was jamming more and more people into their spaces, and that it should be related to parking.

Ira Opper said that most of Granados is old style streets without sidewalks and curbs so parking is all over, that the Wedbush building started putting in call centers and parking was now all up and down the neighborhood streets, that a parking study on Granados and Rios resulting in posting No Parking signs which forced parking along Lomas Santa Fe, and that he supported the ordinance to reduce the parking issue and cost to the City.

Michael Cornell said that he had seen a parking increase all the way up Hilmen and Hilmen Dr. up to the cul-de-sac, that some enforcement was needed for the density and quality of life and mail box access, and that he supported the ordinance.

Bert Neilson said that he supported an ordinance for the excessive overflow of automobiles.

Kristin Ruschetta said that employees from Cedros were parking on the street and walking to their businesses so there was no place for residential visitors or workers to park, and to consider increasing it to 200.

Tracy Richmond said he supported the effort, that he had 18-20 employees at his business but under the new ordinance he could have up to 42 employees, and that the proposal was generous.

Council and Staff discussed parking ordinance vs. this type of ordinance, that many old buildings did not have adequate parking, that every building would have to be rebuilt in order to reduce the parking, that the ordinance would address both existing buildings and new development, 200 v. 125 business worker space, that Del Mar had something similar in place for 10 years and did not seem to have many problems, that a past issue with Health Fusion had brought up the issue, and that the objective was to have it as a tool for development, that noncompliance would be handled by code complaints.

**Motion:** Moved by Mayor Nichols and second by Deputy Mayor Marshall to close the public hearing. **Approved 5/0.** Motion carried unanimously.

**Motion:** Moved by Mayor Nichols and second by Councilmember Edson to approve and clarify the definition of employee and provide additional information at the 2<sup>nd</sup> reading of the ordinance. **Approved 4/1.** (Noes: Marshall) Motion carried.

### **C. STAFF REPORTS:** (C.1. - C.3.)

*Submit speaker slips to the City Clerk.*

#### **C.1. Quarterly Investment Report.** (File 0350-44)

Recommendation: That the City Council

1. Accepts and files the attached Cash and Investment Report for the quarter ended September 30, 2017.

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

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Greg Wade, City Manager, introduced the item.

Genny Lynkiewicz, Chandler Asset, presented a PowerPoint (on file).

**C.2. View Assessment Commission Appointment.** (File 0120-06)

Recommendation: That the City Council

1. Make one appointment (by Mayor Nichols) to the vacant position on the View Assessment Commission with a term expiration date of January 2019.

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

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Greg Wade, City Manager, introduced the item.

Mayor Nichols nominated Peter Lambrou.

**Motion:** Moved by Mayor Nichols and second by Councilmember Edson to appoint Peter Lambrou. **Approved 5/0.** Motion carried unanimously.

**C.3. Adopt (2<sup>nd</sup> Reading) Ordinance 481 Related to Regulations for Wireless Communication Facilities.** (File 0610-10)

Recommendation: That the City Council

1. Adopt **Ordinance 481**:
  - a. Finding the project exempt from the California Environmental Quality Act pursuant to Sections 15378 and 15061(b)(3) of the State CEQA Guidelines; and
  - b. Amending SBMC §17.60.120(G)

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

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Johanna Canlas, City Attorney, read title of Ord

**Motion:** Moved by Deputy Mayor Marshall and second by Councilmember Edson to approve. **Approved 5/0.** Motion carried unanimously.

**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:**

Councilmembers reported Committee activities.

**Regional Committees: (outside agencies, appointed by this Council)**

- a. City Selection Committee (meets twice a year) – Nichols (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities’ San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities’ Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities’ Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1<sup>st</sup> alternate), Nichols (2<sup>nd</sup> alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee – Marshall, Edson.

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

- a. Business Liaison Committee – Zito, Edson.
- b. Solana Beach-Del Mar Relations Committee – Nichols, Zito
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- d. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- e. I-5 Construction Committee – Zito, Edson.
- f. Parks and Recreation Committee – Nichols, Zito
- g. Public Arts Committee – Marshall, Hegenauer.
- h. School Relations Committee – Nichols, Hegenauer.

**Citizen Commission (served by Council)**

- a. Climate Action Commission – Hegenauer

**ADJOURN:**

Mayor Nichols adjourned the meeting at 8:30 p.m. in the memory of Jack Hegenauer.

Angela Ivey, City Clerk

Approved: \_\_\_\_\_

# CITY OF SOLANA BEACH

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



## MINUTES

Joint Meeting - Closed Session

Wednesday, November 15, 2017 \* 5:30 p.m.

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

### CITY COUNCILMEMBERS

Mike Nichols, Mayor

Ginger Marshall, Deputy Mayor

David A. Zito, Councilmember

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Nichols called the meeting to order at 5:30 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer  
Absent: None  
Also Present: Gregory Wade, City Manager  
Johanna Canlas, City Attorney

### PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):

*Report to Council Chambers and submit speaker slips to the City Clerk before the meeting recesses to closed session.*

Councilmember Zito arrived at 5:35 p.m.

### CLOSED SESSION:

#### 1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Pursuant to Government Code Section 54956.9(d)(2)

One (1) Potential case.

**ACTION:** No reportable action.

### ADJOURN:

Mayor Nichols adjourned the meeting at 5:45 p.m.

Vaida Pavolas, Deputy City Clerk

Approved: \_\_\_\_\_

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



## **MINUTES**

### **Joint SPECIAL Meeting**

**Wednesday, November 15, 2017 \* 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.

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### **CALL TO ORDER AND ROLL CALL:**

Mayor Nichols called the meeting to order at 6:00 p.m.

Present: Mike Nichols, Ginger Marshall, David A. Zito, Jewel Edson, Judy Hegenauer  
Absent: None  
Also Present: Greg Wade, City Manager  
Johanna Canlas, City Attorney  
Vaida Pavolas, Deputy City Clerk,  
Mo Sammak, City Engineer/Public Works Dir.  
Marie Berkuti, Finance Manager  
Bill Chopyk, Community Development Dir.  
Danny King, Assistant City Manager

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

Johanna Canlas, City Attorney, stated that there was no reportable action.

### **FLAG SALUTE:**

### **APPROVAL OF AGENDA:**

**Motion:** Moved by Deputy Mayor Marshall and second by Councilmember Zito to approve.  
**Approved 5/0.** Motion carried unanimously.

### **PROCLAMATIONS/CERTIFICATES:** *Ceremonial*

*None at the posting of this agenda*

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

1. KAABOO Event Wrap-up  
Nathan Prenger, Senior Vice President of Operations, presented a PowerPoint (on file) of the 2017 event and 2018 event plans.

**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.

David Gotcha said he is with Verdani Partners who was hired by SDG&E that ‘Power your Drive’ Program provided free or greatly reduced electrical vehicle charging stations for the multi-unit housing.

Torgen Johnson provided an update on the ongoing efforts to address San Onofre public safety issues.

Manny Aguilar thanked the City for the third annual Dia de Los Muertos event and its support.

**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.*

Council reported community announcements and events.

**A. CONSENT CALENDAR:** (Action Items) (A.1. - A.4.)

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 21, 2017 through October 27, 2017.

Item A.1. 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.*

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to approve.

**Approved 5/0.** Motion carried unanimously.

**A.2. General Fund Adopted Budget for Fiscal Year 2017-2018 Changes.** (File 0330-30)

Recommendation: That the City Council

- 1. Receive the report listing changes made to the Fiscal Year 2017-2018 General Fund Adopted Budget.

Item A.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.*



**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to approve.  
**Approved 5/0.** Motion carried unanimously.

**A.4. City Sidewalk Repair Project.** (File 0820-45)

Recommendation: That the City Council

1. Adopt **Resolution 2017-157:**
  - a. Authorizing the City Council to accept as complete the City Sidewalk Repair Project, Bid No. 2016-06, constructed by to Miramar General Engineering.
  - b. Authorizing the City Clerk to file a Notice of Completion.

Item A.4. 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.*

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to approve.  
**Approved 5/0.** Motion carried unanimously.

**B. PUBLIC HEARINGS:** (B.1.)

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: Introduce (1<sup>st</sup> Reading) Ordinance 483 Establishing a Community Choice Aggregation Program and Approving the Implementation Plan and Statement of Intent.** (File 1010-40)

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 project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines.
3. Approve **Resolution 2017-163** approving the Implementation Plan and Statement of Intent and directing the City Manager to submit it to the CPUC for certification.
4. Introduce **Ordinance 483** to establish the Solana Beach CCA program.

Item B.1. Report (click here)

B.1. Supplemental Documents (11-15-17 updated 4:20pm) - R

*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.*

Greg Wade, City Manager, introduced the item.

Danny King, Assistant City Manager, presented a PowerPoint (on file).

Mayor Nichols opened the Public Hearing.

Disclosures.

Peter Zahn asked Council to approve the Implementation Plan and Statement of Intent, and said that the City's actions would break new ground in the County and SDG&E coverage area, and that the City should not postpone the benefits for citizens.

Mary Oren asked for approval of the item, and said that the City was recognized as a leader by surrounding communities, reviewed and compared SDG&E charges, and that the rest of the community would follow the City's actions.

Van Collinworth said that he was a resident of Santee, that Santee had its first workshop regarding CCA, that horrific wild disasters occurred this summer due to the climate change, and that work needed to start at the local level.

Torgen Johnson stated that a "no" vote was not a support of the free markets, technological innovation, public interest, public having a choice, and asked for approval of the item.

Lane Sharman (time donated by Tyler Norris) stated that he had worked on this issue since 2011 as the founder of San Diego Energy District, that there was too much inaction on this issue, to recommend a more generous compensation rate return for surplus production, requested more information about the banking relationship, and asked for approval.

Bart Ziegler stated that he was in favor of this item.

Louise Abbott asked Council to put this topic to a vote of the citizens and said that many people were not aware of this program.

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson to close the public hearing. **Approved 5/0.** Motion carried unanimously.

Council and Staff discussed maintaining a balance sheet of Staff and Consultant's time, that there was no additional Staff needed at this time, and that the CCA's financial proforma factored in additional Staff time.

Council, Staff, and Consultants, discussed the cost recovery mechanism, implementation and resolution of outstanding issues, pre-existing and new generation costs, SDG&E's comparison rates, call center location, higher premium on surplus generation for net energy metering customers, public outreach and education, and a \$1.12 program re-entry fee.

Discussion continued regarding the opt-out rate that would reduce CCA's viability, lock box provisions, that the financial proforma would be discussed with the Budget and Finance

Commission, that PCIA escalators were factored in, and that a 'vote of the people' would be provided in the form of a choice to opt-out or remain in the program.

**Motion:** Moved by Councilmember Hegenauer and second by Councilmember Zito to approve. **Approved 4/1 (Noes: Marshall).** Motion carried.

### **C. STAFF REPORTS:** (C.1. – C.2.)

*Submit speaker slips to the City Clerk.*

#### **C.1. Community Grant Requests Fiscal Year 2017-18.** (File 0330-25)

Recommendation: That the City Council

1. Receive the Staff Report, Community Grant applications and consider the presentations from the grant applicants. This item will come back to the City Council at the December 13, 2017 City Council Meeting for Council's grant allocations.

Item C.1. 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.*

Danny King, Assistant City Manager, introduced the item and presented a PowerPoint (on file).

Presentations were made by the following requestors:

- American Association of University Women
- Assistance League Rancho San Dieguito
- Boys and Girls Club of San Dieguito
- Casa De Amistad
- Community Resource Center
- La Colonia de Eden Gardens, Inc
- North Coast Repertory Theatre
- North County Immigration and Citizenship Center
- Reality Changers
- Solana Beach Civic & Historical Society

Council and Staff discussed funding Community Grants in full.

#### **C.2. Calling Upon Congress to Continue the Existing DACA (Deferred Action for Childhood Arrivals) Program and Provide DACA Recipients with a Pathway to Permanent Residence and Eventually US Citizenship.** (File 0480-60)

Recommendation: That the City Council

1. Consider approval of **Resolution 2017-164** calling upon Congress to continue the existing DACA program and provide DACA recipients with a pathway to permanent residence and eventually US citizenship.

Item C.2. Report (click here)

**C.2. Supplemental Documents (11-15-17 updated 5:00pm) - R**

*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.*

Greg Wade, City Manager, introduced the item.

Councilmember Zito stated that the City should officially support this program in the way of a resolution.

Lisa Montes talked about her family's background, and said that many DACA students sought education, that students were currently concerned about revocation of DACA, and asked to support the Clean Dream Act.

Cassie Purdy said she was with the American Civil Liberty Union and shared her personal experience seeking economic opportunities without crossing international borders, said that DACA recipients included current PhD students who lived and worked within the community, and asked for support.

Caroline Theiss-Aird said she was with the North County Immigration Task Force and stated that she knew many DACA dreamers that were successful, that all illegal immigrants were asked to leave Representative Darrell Issa's Office when they visited his office to address the issue, and asked Council to support the item.

Diana Aguirre stated that she was a child of Mexican immigrants and was taught by her parents to pursue higher education, that the Dream Act would also protect veterans who served in the military as well as those with temporary visa status, that it was important for the City to send this support message to the Congress, and asked to include the Clean Dream Act language.

Peter Zahn submitted a handout (on file) to include the Clean Dream Act language and stated that the dreamers played an important role in society, and that would be an important message sent to the federal and state leaders.

Manny Aguilar shared his family's background and stated that the DACA community included people who had joined the military, who had become valuable members of the community and needed the Clean Dream Act to protect them, and that the leadership was needed to further continue this dialogue.

Karla Trujillo (time donated by Maryann Aguilar) shared her background and stated that it was difficult to live as a dreamer without an immigration status, that this would make a difference at the national level because change needed to start at the local level, and asked Council to approve the proposed resolution.

Oren Robinson stated that 220,000 people in California and 40,000 people in San Diego County were being affected, that it should not be about Mexican vs. Non-Mexican immigration, and thanked the Council for their leadership.

Erin Graff Zivin stated that she supported the Clean Dream Act and provided some statistics about DACA recipients.

Mustafa Nizam said he was a resident of Vista, and explained background on DACA,

statistics on its recipients, and asked to approve the item.

**Motion:** Moved by Councilmember Zito and second by Councilmember Edson and to pass the DREAM Act without amendment and provide DACA recipients with a pathway to permanent residence and eventually US citizenship. **Approved 5/0.** Motion carried unanimously.

**A.3. Plaza Street Fountain Repairs Construction Contract.** (File 0820-40)

Recommendation: That the City Council

1. Adopt **Resolution 2017-161:**

- a. Awarding a construction contract for the Plaza Street Fountain Repair Project, Bid No. 2017-09, in the amount of \$25,799.21, to California Aquatics.
- b. Approving an amount of \$2,200.79 for construction contingency.
- c. Authorizing the City Manager to execute the construction contract on behalf of the City.
- d. Appropriating \$28,000 from the City CIP Reserve fund into the City CIP project for the Plaza Street Fountain Repair Project.
- e. Authorizing the City Treasurer to amend the FY 2017/18 Adopted Budget accordingly.

Item A.3. 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 discussed not proceeding with the fountain repairs and using the funds elsewhere.

**Motion:** Moved by Deputy Mayor Marshall and second by Mayor Nichols to not proceed with this project at this time. **Approved 5/0.** Motion carried unanimously.

**WORKPLAN COMMENTS:**

*Adopted June 14, 2017*

**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:**

Councilmembers reported Committee activities.

**Regional Committees: (outside agencies, appointed by this Council)**

- a. City Selection Committee (meets twice a year) – Nichols (Edson, alternate).
- b. County Service Area 17 – Marshall (Nichols, alternate).
- c. Escondido Creek Watershed Authority – Marshall/Staff (no alternate).
- d. League of Ca. Cities’ San Diego County Executive Committee – Nichols (Edson, alternate) and any subcommittees.
- e. League of Ca. Cities’ Local Legislative Committee – Nichols (Edson, alternate)
- f. League of Ca. Cities’ Coastal Cities Issues Group (CCIG) – Nichols (Edson, alternate)
- g. North County Dispatch JPA – Marshall (Edson, alternate).
- h. North County Transit District – Edson (Nichols, alternate)
- i. Regional Solid Waste Association (RSWA) – Nichols (Hegenauer, alternate).
- j. SANDAG – Zito (Primary), Edson (1<sup>st</sup> alternate), Nichols (2<sup>nd</sup> alternate) and any subcommittees.
- k. SANDAG Shoreline Preservation Committee – Zito (Hegenauer, alternate).
- l. San Dieguito River Valley JPA – Hegenauer (Nichols, alternate).
- m. San Elijo JPA – Marshall, Zito (City Manager, alternate).
- n. 22<sup>nd</sup> Agricultural District Association Community Relations Committee – Marshall, Edson.

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

- a. Business Liaison Committee – Zito, Edson.
- b. Solana Beach-Del Mar Relations Committee – Nichols, Zito
- c. Highway 101 / Cedros Ave. Development Committee – Edson, Nichols.
- d. Fire Dept. Management Governance & Organizational Evaluation – Edson, Hegenauer
- e. I-5 Construction Committee – Zito, Edson.
- f. Parks and Recreation Committee – Nichols, Zito
- g. Public Arts Committee – Marshall, Hegenauer.
- h. School Relations Committee – Nichols, Hegenauer.

**ADJOURN:**

Mayor Nichols adjourned the meeting at 8:28 p.m.

Vaida Pavolas, City Clerk

Approved: \_\_\_\_\_



## STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Community Development Department  
**SUBJECT:** **Public Hearing: CUP/DRP/SDP for a New Wireless Communications Facility at 201 Lomas Santa Fe (Case # 17-17-15 Applicant: AT&T Mobility) Resolution 2017-166**

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### **BACKGROUND:**

The Applicant, AT&T Mobility (hereinafter referred to as "Applicant"), is requesting the approval of a Conditional Use Permit (CUP), Development Review Permit (DRP) and Structure Development Permit (SDP) to construct a new Wireless Communication Facility (WCF) on top of an existing commercial office building at 201 Lomas Santa Fe. The Applicant is proposing to increase the height of an existing elevator tower in order to construct a new antenna enclosure that would conceal 12 panel antennas, 32 Remote Radio Units (RRU's), six surge suppressors, and two GPS antennas behind fiber reinforced plastic screening colored and textured to match the existing building. A new ground level equipment enclosure would be installed that would contain four stack-mounted radio equipment cabinets, one power cabinet, one battery cabinet and telephone and electric utility panels on a concrete slab foundation. The enclosure would be located in the location that is currently a landscape planter adjacent to the building entrance. The antenna enclosure would increase the width and depth of the top 12 feet of the existing tower by three feet and the height by four feet. The highest point of the proposed antennas will be 41.5 feet above the existing grade and 153.2 feet above the existing grade. Solana Beach Municipal Code (SBMC) section 17.60.120(G)(1) indicates that all WCF's are subject to a CUP and must comply with City Council Policy 21. A DRP is required for "any new commercial development or construction (including any structural addition to existing development) located within any commercial zone which results in an increase of more than 500 feet of gross floor area or to the overall building envelope." The proposed addition would exceed 16 feet in height from the existing grade and, therefore, requires a Structure Development Permit (SDP).

This item is before the City Council to approve, conditionally approve or deny the Applicant's request for a CUP, DRP, and SDP for a new WCF at 201 Lomas Santa Fe, Solana Beach, as contained in Resolution 2017-167 (Attachment 1).

CITY COUNCIL ACTION:

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## **DISCUSSION:**

This project was originally heard at the December 13, 2017 City Council meeting. The original Staff Report has been provided in Attachment 2. At that meeting, the proposed project and several alternative sites were discussed. The Applicant indicated that an existing site on Lomas Santa Fe is being decommissioned and because of that, there would be a significant gap in coverage. By constructing the proposed site at 201 Lomas Santa Fe, that significant gap would be addressed. The federal Telecommunications Act of 1996 indicates that local governments cannot prohibit or effectively prohibit personal wireless communication services. If an Applicant demonstrates that there is a "significant gap" in their service coverage and the proposed site constitutes the "least intrusive means" to mitigate that significant gap, the Ninth Circuit holds that a single permit denial violates the Telecom Act.

After receiving public testimony and evidence regarding the project at the Council meeting, the Council indicated that they were not able to make the finding that the proposed project design constitutes the "least intrusive means" in addressing the gap in coverage. The Council requested that the Applicant provide additional analysis for the project site based on aesthetic concerns. Specifically, the Council requested information regarding the feasibility of separating the antenna sectors and install several radio frequency (RF) transparent screening boxes on different sides of the structure at lower heights. The Council also requested to see a sample of what the proposed RF transparent screening material would look like to verify that it would in fact match the existing exterior of the structure in color and texture. The Applicant agreed to provide the requested information. The council voted 5/0 to continue the project to a date certain of January 10, 2018.

To address the concerns expressed by the public and the City Council at the December 13, 2017 meeting, the Applicant submitted an alternative project design to address the aesthetic concerns on January 3, 2018 which have been provided in Attachment 3.

The project alternative incorporates the following changes from the original design:

- The eastern facing antenna sector would be moved to the northeastern corner of the third story of the building. The antennas would be attached to the outer façade of the building and would be screened with a 1'-6" X 9' fiber reinforced plastic (FRP) box painted and textured to match the existing structure that would project approximately two feet taller than the existing parapet.
- The north, south and western facing antenna sectors would remain at the top of the existing elevator tower in a 9'-4" X 13'-5" antenna enclosure, however, the height of the elevator tower would be raised two feet instead of four feet in the original project design. The proposed height of the elevator tower would be 39'-7" above the adjacent existing grade.
- An additional 14'-10" X 10' enclosure would be constructed east of the elevator tower antenna enclosure that would increase the height of the existing roof of the



structure by two feet. This enclosure would conceal 12 of the Remote Radio Units (RRU's) and two of the DC Surge Suppressors.

- The design of the ground level equipment enclosure would remain the same with the project alternative.

Two draft Resolutions have been provided based upon the original project design presented at the December 13, 3017 City Council meeting and the project alternative discussed in this report. They include the applicable SBMC sections in italicized text. If the Council can make the required findings to approve the project the Council should provide direction as to which project alternative they are conditionally approving in the resolution. The City Council can also provide direction to reflect the findings and conditions it deems appropriate as a part of the Public Hearing process.

#### **CEQA COMPLIANCE STATEMENT:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines.

**FISCAL IMPACT:** N/A

**WORK PLAN:** N/A

#### **OPTIONS:**

- Approve Staff recommendation adopting the attached Resolution 2017-167.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all required findings for the approval of a DRP.
- Deny the project if all required findings for the DRP cannot be made.


#### **DEPARTMENT RECOMMENDATION:**

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2017-167 conditionally approving a CUP/DRP/SDP for a new WCF and associated equipment located on the roof of an existing commercial office building at 201 Lomas Santa Fe, Solana Beach and provide direction to Staff as to which project alternative the Council is approving.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.

  
\_\_\_\_\_  
Gregory Wade, City Manager

Attachments:

1. Resolution 2017-167 and alternate project Resolution 2017-167
2. December 13, 2017 Staff Report and Attachments
3. Alternative Project Design Plans

**RESOLUTION NO. 2017-167**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT, DEVELOPMENT REVIEW PERMIT AND STRUCTURE DEVELOPMENT PERMIT FOR A NEW WIRELESS COMMUNICATIONS FACILITY LOCATED ON THE EXISTING COMMERCIAL STRUCTURE AT 201 LOMAS SANTA FE, SOLANA BEACH**

**APPLICANT: AT&T Mobility**  
**CASE NO.: 17-17-15 CUP/DRP/SDP**

**WHEREAS**, AT&T Mobility (hereinafter referred to as "Applicant") has submitted an application for a Conditional Use Permit (CUP), Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC) and City Council Policy 21; and

**WHEREAS**, the Applicant is proposing a new WCF location in order to replace a WCF being removed from the commercial structure at 505 Lomas Santa Fe; and

**WHEREAS**, at the hearing on December 13, 2017, the City Council received and considered evidence concerning the proposed application; and

**WHEREAS**, on December 13, 2017, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

**WHEREAS**, the City Council of the City of Solana Beach continued the project to a date certain, January 10, 2018, so that the Applicant could address concerns raised at the December 13, 2018 Council meeting by providing additional analysis on a project alternative onsite; and

**WHEREAS**, at the public hearing on January 10, 2018, the City Council received and considered evidence concerning the proposed application; and

**WHEREAS**, on January 10, 2018, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

**WHEREAS**, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15301 of the State CEQA Guidelines; and

**WHEREAS**, this decision is based upon the evidence presented at the hearings, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

**NOW THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.

2. That the request for a CUP/DRP/SDP to construct a new WCF located on the top of the existing elevator tower of an existing commercial office building and a ground level equipment enclosure at 201 Lomas Santa Fe is conditionally approved based upon the following Findings and subject to the following Conditions:

### 3. FINDINGS

- A. In accordance with Section 17.68.010 (Conditional Use Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. Before granting a Conditional Use Permit, the Planning Director or City Council shall make all of the following findings:*

- a. The proposed use is in accord with the General Plan, the general intent of this title, and the purposes of the zone in which the site is located.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

- b. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The Applicant has submitted an updated third party Radio Frequency Safety Survey Report Prediction prepared by Waterford Compliance dated March 30, 2017. This report indicates that there would be a controlled access zone extending approximately 34 feet horizontally from the face of the antennas at roughly the height of the antennas at all four antenna sectors. The existence of the controlled access zone does not mean that the project violates the FCC rules; rather, it indicates that the carrier must affirmatively restrict public access to that area so that members of the general population (including trespassers) cannot unknowingly enter and be exposed to radio emissions in excess of those allowed by the FCC. Therefore, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvement in the vicinity as determined by the FCC based on its exposure limits.

- c. That the proposed use complies with each of the applicable provision of the zoning ordinance, unless a variance is granted pursuant to SBMC 17.68.020*

The proposed project complies with the property development regulations of SBMC 17.24.030, as well as the Wireless Communications Facilities guidelines of City Council Policy 21, which are required according to SBMC Section 17.60.120 for maximum height, setbacks, proximity to residential properties, impacts on public views and visual quality of the surrounding area.

- II. If the Conditional Use Permit is for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure then only the findings of Chapter 17.16 SBMC must be made.*

The proposed project is not for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure.

- B. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones, and specific plans.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

ii. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040(F):*

a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and complementary to existing development in the immediate vicinity of the project site and the surrounding neighborhood. The development as proposed shall also be compatible in scale, apparent bulk, and massing with such existing development in the surrounding neighborhood. Site planning on or near the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects.*

The property is located within the OP Zone and the SAOZ. Properties to the west are located within the Special Commercial (SC) Zone and developed with the Minute Shop liquor store, to the

north are in the Light Commercial Zone and are developed with a two story mixed retail and office building. Properties to the east are located within the Low Medium Residential (LMR) Zone and to the south properties are within the Low Residential (LR) Zone. The residentially zoned lots are developed with a mix of one and two story, single family residences. The project site is currently developed with a multi-level office building with a parking lot located towards the southern property line. The project, as designed, is consistent with the specific development standards of the OP Zone as described in SBMC Sections 17.24.010 and 17.12.020. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

The property is located within the SAOZ, however, as mentioned previously can be found exempt from the specific requirements of the overlay zone because it is a minor modification. As a condition of project approval, the Applicant would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed to minimize adverse impacts on the surrounding properties and designed in a manner which visually and functionally enhance their intended use and complement existing site topography. Multi-family residential buildings shall be sited to avoid crowding and to allow for a functional use of the space between buildings.*

The proposed WCF addition would increase the height, depth, and width of the existing elevator enclosure in order to provide space to install three antennas in four sectors and associated equipment. The soil and vegetation will be removed from an existing planter area at the ground level in order to provide a below grade equipment enclosure.

The OP Zone has required setbacks of 15 feet for the front, 15 feet for a street side and 15 feet for the rear when it is abutting residentially zoned properties. As designed the proposed equipment enclosure would be setback approximately 70 feet from Lomas Santa Fe and the antenna enclosure would be setback approximately 90 feet. The maximum building height for the OP zone is 45 feet as measured from the lower of the existing or proposed grade, the tallest point of the proposed antenna enclosure would be approximately 41.5 feet above the existing grade directly adjacent to the enclosure.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. To the maximum extent practicable, landscaping and plantings shall be used to screen parking areas, storage areas, access roads, and other service uses of the site. Trees and other large plantings shall not obstruct significant views when installed or at maturity. Drought tolerant plant materials and water conserving irrigation systems shall be incorporated into all landscaping plans.*

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. As designed, approximately 158 square feet of landscaped area will be removed in order to construct the equipment enclosure. The Applicant would remove a portion of the existing retaining wall that surrounds an existing landscape planter and excavate the soil and remove the existing vegetation in order to pour a concrete slab. In addition, an existing diseased tree adjacent to the proposed equipment enclosure would be removed and replaced with the proposed project.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

No additional parking is required for an unmanned WCF.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The proposed grading quantities include 29.4 cubic yards for the excavation to be exported off-site in order to remove the existing plant and soil from the planter box and construct a below grade equipment enclosure for the proposed WCF.



- f. *Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. *Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of the construction of a new WCF on an existing office building, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

- III. *All required permits and approvals issued by the City, including variances, conditional use permits, comprehensive sign plans, and coastal development permits, have been obtained prior to or concurrently with the development review permit.*

All required permits are being processed concurrently with the CUP. As a condition of project approval, the Applicant shall obtain approval from the CCC prior to issuance of Building Permits.

- IV. *If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the applicant obtaining the required permit or approval from the other agency.*

As a condition of project approval, the Applicant will be required to obtain approval from the California Coastal Commission (CCC) prior to the issuance of Building Permits.

- C. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:
  - I. Notices were mailed to all property owners and residents within 300 feet of the property and the deadline to file for View Assessment was

November 22, 2017. No applications for View Assessment were received.

Therefore, the requirements for the approval of a SDP have been met. The SDP will be issued administratively with the CUP and DRP.

As a condition of project approval, once construction has begun, the Applicant will be required to submit a height certification prior to the framing inspection. The Height Certification will be signed by a licensed land surveyor and will verify that the framing materials and the proposed roofing materials will not exceed the maximum building height of 41.5 feet from the existing grade or 153.2 feet above MSL as approved by the SDP.

#### 4. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicant shall provide for and adhere to the following conditions:

##### A. Community Development Department Conditions:

- I. Building Permit plans must be in substantial conformance with the plans presented to the City Council on January 10, 2018, located in the project file with a submittal date of December XX, 2017.
- II. The Applicant shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a building permit.
- III. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- IV. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.
- V. This permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish a shorter term for public safety or substantial land use reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.

- VI. Before Permittee submits any applications to the Building Department, Permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the “**Approved Plans**”). Permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by Permittee or required by other departments or public agencies with jurisdiction over the wireless facility, must be submitted in a written request subject to the Director’s prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.
- VII. Permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Permittee shall keep the site area free from all litter and debris at all times. Permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after Permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
- VIII. Permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“**Laws**”) applicable to Permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. Permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen Permittee’s obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation.
- IX. Permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from Permittee’s or its authorized personnel’s construction, installation, operation, modification, maintenance, repair, removal

and/or other activities at the site. Permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Solana Beach Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activities that violates this condition.

- X. Permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to Permittee; provided, however, that the City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. Permittee will be permitted to supervise the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.
- XI. Permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. Permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
- XII. Permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that Permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against Permittee. Records may be kept in electronic format.
- XIII. Permittee shall taper the FRP screen walls to the existing building façade on all sides, beginning at the bottom 1/3 of the screen wall.
- XIV. Permittee shall paint and texture the vertical cable riser to match the

existing alternating colors on the building.

- XV. Permittee shall paint and texture the FRP screen walls to match the existing color on the building at the height of the screen walls.
- XVI. Permittee shall paint and texture the CMU retaining walls around the equipment enclosure to match the existing walls in the stairwells.
- XVII. Permittee shall hire and pay for a licensed arborist to select, plant and maintain a replacement tree in an appropriate location for the species. Only ISA Certified tree workers under the supervision of a licensed arborist shall be used to install the replacement tree. The replacement tree shall be at least a 48" box size, and a type that generally does not exceed 25' in mature overall height, so as not to protrude above the roofline when viewed from vantage points in publicly accessible spaces to the east of the site location. The planting hole shall be at least three times the diameter of the root ball but only as deep as the root ball. The trunk flare at the base of the tree shall be visible after the replacement tree has been planted. Permittee shall, at all times, be responsible to maintain the replacement tree.
- XVIII. Permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by Permittee or at Permittee's direction on or about the site.
- XIX. Permittee shall install, and at times maintain in good condition, all equipment, including without limitation antennas, remote radio units, power surge suppressors, GPS antennas, equipment cabinets, power cabinets, battery cabinets and utility panels, fully concealed from public view within FRP screening or the CMU wall enclosure, as applicable.
- XX. Permittee shall keep all access points to the main/uppermost rooftop area closed and locked at all times except when active maintenance is being performed on the main/uppermost rooftop or the equipment on the main/uppermost rooftop.
- XXI. Permittee shall install, and at all times maintain in good condition, an "RF Information" or "RF Notice" sign at any main/uppermost rooftop access point(s). Permittee shall install the sign(s) required under this condition so that a person may clearly see and understand the sign before he or she accesses the main/uppermost rooftop area. The sign(s) required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the main/uppermost rooftop area is in both the open or closed position

(e.g., placed on the wall adjacent to the door where it would not be covered by the door in the open position).

- XXII. Permittee shall install, and at all times maintain in good condition, a polyurethane chain-link barrier in approximately the locations shown in Figure 1 below. Permittee shall also install, and at all times maintain in good condition an "RF Caution" sign on the chain-link barrier in locations where they will be visible to a person approaching the antennas from the main/uppermost rooftop area. In the alternative, Permittee may install alternating floor stripes within the area shown in Figure 1.
- XXIII. Permittee shall keep the access point to the antenna enclosure closed and locked at all times, except when active maintenance is being performed on the antenna enclosure or the equipment within the antenna enclosure.
- XXIV. Permittee shall install, and at all times maintain in good condition, an "RF Caution" sign adjacent to the access ladder leading to the antenna enclosure. Permittee shall install the sign required under this condition so that a person may clearly see and understand the sign before he or she accesses the antenna enclosure. The sign required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the antenna enclosure is in both the open or closed position.
- XXV. Permittee shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
- XXVI. AT&T shall power-down the antennas whenever maintenance personnel other than AT&T perform any work on the roof of the building.
- XXVII. AT&T shall install and at all times maintain in good condition an RF Notice at all access points to the roof area. AT&T shall install the RF Notice signs in a location where anyone approaching the roof access point may clearly see the sign.
- XXVIII. AT&T shall install and at all times maintain in good condition a physical barrier that (1) restricts physical access to the controlled zones in front of the 50\* TN and 240\* TN sectors and (2) substantially conforms to the example provided in Figure 1, of the report dated December 5, 2013. Each barrier shall include an RF

Caution sign placed where anyone approaching the barrier will clearly see it before entering the controlled zone.

- XXIX. AT&T shall ensure that all signs comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
- XXX. All equipment such as, but not limited to, emergency generators and air conditioners, shall be designed and operated consistent with the City's noise standards.
- XXXI. All facilities, related equipment, and landscaping shall be maintained in good condition and free from trash, debris, graffiti, and any form of vandalism. Damaged equipment and damaged, dead or decaying landscaping shall be replaced promptly.
- XXXII. Routine maintenance of equipment located in residential zones or within 100 feet of a residential district shall be conducted only during the hours of 8am and 5pm on weekdays, not including holidays. In other areas, routine maintenance may be conducted within a reasonable length of time to be determined by the City Manager or his designee in the cases of power outages and equipment failure or malfunction. Equipment "change out" and overhaul can occur any time within 30 days notice to the Director of Community Development to allow notice to property owners and residents within 300 feet of the facility.
- XXXIII. Maintenance shall not take place on Sundays or holidays.
- XXXIV. Security lighting should be kept to a minimum and should only be triggered by a motion detector where practical.
- XXXV. Within 6 months after the issuance of occupancy and with each time extension or amendment request, the developer/operator shall submit to the Planning Director either a verification that the WCF is categorically excluded from having to determine compliance with the guidelines per 47 CFR 1.1307(b)(1) or a project implementation report that provides cumulative field measurements of RF electromagnetic fields of all antennas installed at the subject site. The report shall quantify the RF emissions and compare the results with the projects preliminary proposal report submitted with the initial project application and the accepted ANSI/IEEE standards. If, on review, the Planning Director finds that the project does not meet ANSI/IEEE standards, the City may take any action necessary, as

provided by law, to require compliance including, but not limited to, revoking the CUP.

XXXVI. Any WCF that is not operated for a continuous period of 90 days will be considered abandoned.

XXXVII. Within 90 days of receipt of notice from the City notifying the owner of such abandonment, the WCF owner must remove the facility and restore the site, as much as is reasonable and practical, to its prior condition. If such WCF is not removed within 90 days, the WCF will be considered a nuisance and in addition to any other available remedy, will be subject to abatement under Chapter 6.04 of the SBMC. If there are two or more users of a single WCF, then this provision will not become effective until all users stop using the WCF. The provider or owner must give notice to the City of the intent to discontinue use of any facility before discontinuing the use.

5. ENFORCEMENT: Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.
6. EXPIRATION: The Conditional Use Permit for WCF's shall be granted for a period not to exceed ten (10) years. Upon a request for either an extension of an amendment of a CUP, the WCF should be reevaluated to assess the impact of the facility on adjacent properties, the record of maintenance and performance with reference to the conditions of approval and consistency with these guidelines. The project will expire on December 13, 2027 or sooner if the WCF is not operated for a continuous period of 90 days in that case the WCF will be considered abandoned.
7. INDEMNIFICATION AGREEMENT: The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by



Applicant.

8. NOTICE TO APPLICANT: Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10<sup>th</sup> day of January, 2018, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk

**RESOLUTION NO. 2017-167**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT, DEVELOPMENT REVIEW PERMIT AND STRUCTURE DEVELOPMENT PERMIT FOR A NEW WIRELESS COMMUNICATIONS FACILITY LOCATED ON THE EXISTING COMMERCIAL STRUCTURE AT 201 LOMAS SANTA FE, SOLANA BEACH**

**APPLICANT: AT&T Mobility**  
**CASE NO.: 17-17-15 CUP/DRP/SDP**

**WHEREAS**, AT&T Mobility (hereinafter referred to as "Applicant") has submitted an application for a Conditional Use Permit (CUP), Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC) and City Council Policy 21; and

**WHEREAS**, the Applicant is proposing a new WCF location in order to replace a WCF being removed from the commercial structure at 505 Lomas Santa Fe; and

**WHEREAS**, at the hearing on December 13, 2017, the City Council received and considered evidence concerning the proposed application; and

**WHEREAS**, on December 13, 2017, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

**WHEREAS**, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

**WHEREAS**, this decision is based upon the evidence presented at the hearings, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

**NOW THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the request for a CUP/DRP/SDP to construct new WCF consisting of an antenna enclosure at the top of the existing elevator tower, a rooftop equipment enclosure and a façade mounted antenna enclosure on the northeast corner of the third story of the existing commercial office building and a ground level equipment enclosure at 201 Lomas Santa Fe is conditionally approved based upon the following Findings and subject to the following Conditions:
3. FINDINGS

A. In accordance with Section 17.68.010 (Conditional Use Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

*I. Before granting a Conditional Use Permit, the Planning Director or City Council shall make all of the following findings:*

*a. The proposed use is in accord with the General Plan, the general intent of this title, and the purposes of the zone in which the site is located.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

*b. The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The Applicant has submitted an updated third party Radio Frequency Safety Survey Report Prediction prepared by

Waterford Compliance dated March 30, 2017. This report indicates that there would be a controlled access zone extending approximately 34 feet horizontally from the face of the antennas at roughly the height of the antennas at all four antenna sectors. The existence of the controlled access zone does not mean that the project violates the FCC rules; rather, it indicates that the carrier must affirmatively restrict public access to that area so that members of the general population (including trespassers) cannot unknowingly enter and be exposed to radio emissions in excess of those allowed by the FCC. Therefore, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvement in the vicinity as determined by the FCC based on its exposure limits.

- c. *That the proposed use complies with each of the applicable provision of the zoning ordinance, unless a variance is granted pursuant to SBMC 17.68.020*

The proposed project complies with the property development regulations of SBMC 17.24.030, as well as the Wireless Communications Facilities guidelines of City Council Policy 21, which are required according to SBMC Section 17.60.120 for maximum height, setbacks, proximity to residential properties, impacts on public views and visual quality of the surrounding area.

- II. *If the Conditional Use Permit is for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure then only the findings of Chapter 17.16 SBMC must be made.*

The proposed project is not for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure.

- B. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. *The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones, and specific plans.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the

objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040(F):*

a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and complementary to existing development in the immediate vicinity of the project site and the surrounding neighborhood. The development as proposed shall also be compatible in scale, apparent bulk, and massing with such existing development in the surrounding neighborhood. Site planning on or near the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects.*

The property is located within the OP Zone and the SAOZ. Properties to the west are located within the Special Commercial (SC) Zone and developed with the Minute Shop liquor store, to the north are in the Light Commercial Zone and are developed with a two story mixed retail and office building. Properties to the east are located within the Low Medium Residential (LMR) Zone and to the south properties are within the Low Residential (LR) Zone. The residentially zoned lots are developed with a mix of one and two story, single family residences. The project site is currently developed with a multi-level office building with a parking lot located

towards the southern property line. The project, as designed, is consistent with the specific development standards of the OP Zone as described in SBMC Sections 17.24.010 and 17.12.020. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

The property is located within the SAOZ, however, as mentioned previously can be found exempt from the specific requirements of the overlay zone because it is a minor modification. As a condition of project approval, the Applicant would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed to minimize adverse impacts on the surrounding properties and designed in a manner which visually and functionally enhance their intended use and complement existing site topography. Multi-family residential buildings shall be sited to avoid crowding and to allow for a functional use of the space between buildings.*

The proposed WCF addition would increase the height, depth, and width of the existing elevator enclosure in order to provide space to install three antennas in three sectors. Adjacent to the elevator enclosure an additional enclosure is proposed that would conceal 12 of the proposed RRU's and 2 of the surge suppressors. The fourth antenna sector would be located on the outer façade of northeast corner of the third story of the structure. All three antenna sectors would be screened with FRP screen boxes that are painted and textured to match the façade of the existing structure. The soil and vegetation will be removed from an existing planter area at the ground level in order to provide a below grade equipment enclosure.

The OP Zone has required setbacks of 15 feet for the front, 15 feet for a street side and 15 feet for the rear when it is abutting residentially zoned properties. As designed the proposed equipment enclosure would be setback approximately 70 feet from Lomas Santa Fe and the antenna enclosure would be setback approximately 90 feet. The maximum building height for the OP zone is 45 feet as measured from the lower of the existing or proposed grade, the tallest point of the proposed antenna enclosure would be approximately 39'-7" feet above the existing grade directly adjacent to the enclosure.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. To the maximum extent practicable, landscaping and plantings shall be used to screen parking areas, storage areas, access roads, and other service uses of the site. Trees and other large plantings shall not obstruct significant views when installed or at maturity. Drought tolerant plant materials and water conserving irrigation systems shall be incorporated into all landscaping plans.*

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. As designed, approximately 158 square feet of landscaped area will be removed in order to construct the equipment enclosure. The Applicant would remove a portion of the existing retaining wall that surrounds an existing landscape planter and excavate the soil and remove the existing vegetation in order to pour a concrete slab. In addition, an existing diseased tree adjacent to the proposed equipment enclosure would be removed and replaced with the proposed project.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

No additional parking is required for an unmanned WCF.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The proposed grading quantities include 29.4 cubic yards for the excavation to be exported off-site in order to remove the existing plant and soil from the planter box and construct a below grade equipment enclosure for the proposed WCF.

- f. *Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper*

*locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of the construction of a new WCF on an existing office building, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

- III. All required permits and approvals issued by the City, including variances, conditional use permits, comprehensive sign plans, and coastal development permits, have been obtained prior to or concurrently with the development review permit.*

All required permits are being processed concurrently with the CUP. As a condition of project approval, the Applicant shall obtain approval from the CCC prior to issuance of Building Permits.

- IV. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the applicant obtaining the required permit or approval from the other agency.*

As a condition of project approval, the Applicant will be required to obtain approval from the California Coastal Commission (CCC) prior to the issuance of Building Permits.

- C. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:
  - I. Notices were mailed to all property owners and residents within 300 feet of the property and the deadline to file for View Assessment was November 22, 2017. No applications for View Assessment were received.



Therefore, the requirements for the approval of a SDP have been met. The SDP will be issued administratively with the CUP and DRP.

As a condition of project approval, once construction has begun, the Applicant will be required to submit a height certification prior to the framing inspection. The Height Certification will be signed by a licensed land surveyor and will verify that the framing materials and the proposed roofing materials will not exceed the maximum building height of 41.5 feet from the existing grade or 153.2 feet above MSL as approved by the SDP.

#### 4. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicant shall provide for and adhere to the following conditions:

##### A. Community Development Department Conditions:

- I. Building Permit plans must be in substantial conformance with the plans presented to the City Council on January 10, 2018 located in the project file with a submittal date of January 3, 2018.
- II. The Applicant shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a building permit.
- III. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- IV. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.
- V. This permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish a shorter term for public safety or substantial land use reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.
- VI. Before Permittee submits any applications to the Building Department, Permittee must incorporate this permit, all conditions

associated with this permit and the approved photo simulations into the project plans (the “**Approved Plans**”). Permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by Permittee or required by other departments or public agencies with jurisdiction over the wireless facility, must be submitted in a written request subject to the Director’s prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.

- VII. Permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Permittee shall keep the site area free from all litter and debris at all times. Permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after Permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
- VIII. Permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law (“**Laws**”) applicable to Permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. Permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen Permittee’s obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation.
- IX. Permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from Permittee’s or its authorized personnel’s construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. Permittee shall not perform or cause others to perform any construction, installation, operation,

modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Solana Beach Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for any activities that violates this condition.

- X. Permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to Permittee; provided, however, that the City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. Permittee will be permitted to supervise the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.
- XI. Permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. Permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
- XII. Permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that Permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against Permittee. Records may be kept in electronic format.
- XIII. Permittee shall taper the FRP screen walls to the existing building façade on all sides, beginning at the bottom 1/3 of the screen wall.
- XIV. Permittee shall paint and texture the vertical cable riser to match the existing alternating colors on the building.

- XV. Permittee shall paint and texture the FRP screen walls to match the existing color on the building at the height of the screen walls.
- XVI. Permittee shall paint and texture the CMU retaining walls around the equipment enclosure to match the existing walls in the stairwells.
- XVII. Permittee shall hire and pay for a licensed arborist to select, plant and maintain a replacement tree in an appropriate location for the species. Only ISA Certified tree workers under the supervision of a licensed arborist shall be used to install the replacement tree. The replacement tree shall be at least a 48" box size, and a type that generally does not exceed 25' in mature overall height, so as not to protrude above the roofline when viewed from vantage points in publicly accessible spaces to the east of the site location. The planting hole shall be at least three times the diameter of the root ball but only as deep as the root ball. The trunk flare at the base of the tree shall be visible after the replacement tree has been planted. Permittee shall, at all times, be responsible to maintain the replacement tree.
- XVIII. Permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by Permittee or at Permittee's direction on or about the site.
- XIX. Permittee shall install, and at times maintain in good condition, all equipment, including without limitation antennas, remote radio units, power surge suppressors, GPS antennas, equipment cabinets, power cabinets, battery cabinets and utility panels, fully concealed from public view within FRP screening or the CMU wall enclosure, as applicable.
- XX. Permittee shall keep all access points to the main/uppermost rooftop area closed and locked at all times except when active maintenance is being performed on the main/uppermost rooftop or the equipment on the main/uppermost rooftop.
- XXI. Permittee shall install, and at all times maintain in good condition, an "RF Information" or "RF Notice" sign at any main/uppermost rooftop access point(s). Permittee shall install the sign(s) required under this condition so that a person may clearly see and understand the sign before he or she accesses the main/uppermost rooftop area. The sign(s) required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the main/uppermost rooftop area is in both the open or closed position (e.g., placed on the wall adjacent to the door where it would not be covered by the door in the open position).

- XXII. Permittee shall install, and at all times maintain in good condition, a polyurethane chain-link barrier in approximately the locations shown in Figure 1 below. Permittee shall also install, and at all times maintain in good condition an "RF Caution" sign on the chain-link barrier in locations where they will be visible to a person approaching the antennas from the main/uppermost rooftop area. In the alternative, Permittee may install alternating floor stripes within the area shown in Figure 1.
- XXIII. Permittee shall keep the access point to the antenna enclosure closed and locked at all times, except when active maintenance is being performed on the antenna enclosure or the equipment within the antenna enclosure.
- XXIV. Permittee shall install, and at all times maintain in good condition, an "RF Caution" sign adjacent to the access ladder leading to the antenna enclosure. Permittee shall install the sign required under this condition so that a person may clearly see and understand the sign before he or she accesses the antenna enclosure. The sign required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the antenna enclosure is in both the open or closed position.
- XXV. Permittee shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
- XXVI. AT&T shall power-down the antennas whenever maintenance personnel other than AT&T perform any work on the roof of the building.
- XXVII. AT&T shall install and at all times maintain in good condition an RF Notice at all access points to the roof area. AT&T shall install the RF Notice signs in a location where anyone approaching the roof access point may clearly see the sign.
- XXVIII. AT&T shall install and at all times maintain in good condition a physical barrier that (1) restricts physical access to the controlled zones in front of the 50\* TN and 240\* TN sectors and (2) substantially conforms to the example provided in Figure 1, of the report dated December 5, 2013. Each barrier shall include an RF Caution sign placed where anyone approaching the barrier will clearly see it before entering the controlled zone.

- XXIX. AT&T shall ensure that all signs comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
- XXX. All equipment such as, but not limited to, emergency generators and air conditioners, shall be designed and operated consistent with the City's noise standards.
- XXXI. All facilities, related equipment, and landscaping shall be maintained in good condition and free from trash, debris, graffiti, and any form of vandalism. Damaged equipment and damaged, dead or decaying landscaping shall be replaced promptly.
- XXXII. Routine maintenance of equipment located in residential zones or within 100 feet of a residential district shall be conducted only during the hours of 8am and 5pm on weekdays, not including holidays. In other areas, routine maintenance may be conducted within a reasonable length of time to be determined by the City Manager or his designee in the cases of power outages and equipment failure or malfunction. Equipment "change out" and overhaul can occur any time within 30 days notice to the Director of Community Development to allow notice to property owners and residents within 300 feet of the facility.
- XXXIII. Maintenance shall not take place on Sundays or holidays.
- XXXIV. Security lighting should be kept to a minimum and should only be triggered by a motion detector where practical.
- XXXV. Within 6 months after the issuance of occupancy and with each time extension or amendment request, the developer/operator shall submit to the Planning Director either a verification that the WCF is categorically excluded from having to determine compliance with the guidelines per 47 CFR 1.1307(b)(1) or a project implementation report that provides cumulative field measurements of RF electromagnetic fields of all antennas installed at the subject site. The report shall quantify the RF emissions and compare the results with the project's preliminary proposal report submitted with the initial project application and the accepted ANSI/IEEE standards. If, on review, the Planning Director finds that the project does not meet ANSI/IEEE standards, the City may take any action necessary, as provided by law, to require compliance including, but not limited to, revoking the CUP.

XXXVI. Any WCF that is not operated for a continuous period of 90 days will be considered abandoned.

XXXVII. Within 90 days of receipt of notice from the City notifying the owner of such abandonment, the WCF owner must remove the facility and restore the site, as much as is reasonable and practical, to its prior condition. If such WCF is not removed within 90 days, the WCF will be considered a nuisance and in addition to any other available remedy, will be subject to abatement under Chapter 6.04 of the SBMC. If there are two or more users of a single WCF, then this provision will not become effective until all users stop using the WCF. The provider or owner must give notice to the City of the intent to discontinue use of any facility before discontinuing the use.

5. ENFORCEMENT: Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.
6. EXPIRATION: The Conditional Use Permit for WCF's shall be granted for a period not to exceed ten (10) years. Upon a request for either an extension of an amendment of a CUP, the WCF should be reevaluated to assess the impact of the facility on adjacent properties, the record of maintenance and performance with reference to the conditions of approval and consistency with these guidelines. The project will expire on December 13, 2027 or sooner if the WCF is not operated for a continuous period of 90 days in that case the WCF will be considered abandoned.
7. INDEMNIFICATION AGREEMENT: The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by Applicant.

8. NOTICE TO APPLICANT: Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10<sup>th</sup> day of January, 2018, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk





# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** December 13, 2017  
**ORIGINATING DEPT:** Community Development Department  
**SUBJECT:** **CUP/DRP/SDP for a New Wireless Communications Facility at 201 Lomas Santa Fe (Case # 17-17-15 Applicant: AT&T Mobility) Resolution 2017-166**

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## BACKGROUND:

The Applicant, AT&T Mobility (hereinafter referred to as "Applicant"), is requesting the approval of a Conditional Use Permit (CUP), Development Review Permit (DRP) and Structure Development Permit (SDP) to construct a new Wireless Communication Facility (WCF) on top of an existing commercial office building at 201 Lomas Santa Fe. The Applicant is proposing to increase the height of an existing elevator tower in order to construct a new antenna enclosure that would conceal 12 panel antennas, 32 Remote Radio Units (RRU's), six surge suppressors, and two GPS antennas behind fiber reinforced plastic screening colored and textured to match the existing building. A new ground level equipment enclosure that would contain four stack-mounted radio equipment cabinets, one power cabinet, one battery cabinet and telephone and electric utility panels on a concrete slab foundation. The enclosure would be located in the location that is currently a landscape planter adjacent to the building entrance. The antenna enclosure would increase the width and depth of the top 12 feet of the existing tower by three feet and the height by four feet. The highest point of the proposed antennas will be 41.5 feet above the existing grade and 153.2 feet above the existing grade. Solana Beach Municipal Code (SBMC) section 17.60.120(G)(1) indicates that all WCF's are subject to a CUP and must comply with City Council Policy 21. A DRP is required for "any new commercial development or construction (including any structural addition to existing development) located within any commercial zone which results in an increase of more than 500 feet of gross floor area or to the overall building envelope." The proposed addition would exceed 16 feet in height from the existing grade and therefore, requires a Structure Development Permit (SDP).

This item is before the City Council to approve, conditionally approve or deny the Applicant's request for a CUP, DRP, and SDP for a new WCF at 201 Lomas Santa Fe, Solana Beach, as contained in Resolution 2017-167 (Attachment 1).

CITY COUNCIL ACTION:

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## **DISCUSSION:**

The new WCF at 201 Lomas Santa Fe is proposed in order to relocate an existing site that is being decommissioned due to an expired lease at the current property. The existing property is on the southeast corner of the intersection of Lomas Santa Fe and South Rios Avenue. The property is currently developed with a commercial office structure commonly known as the Wedbush Building. The property is located within the Scenic Area Overlay Zone (SAOZ). The proposed project can be found exempt from the SAOZ regulations according to SBMC 17.48.101.D.1, because it is considered a minor addition to an existing structure, which doesn't increase the existing building envelope or floor area by more than 10 percent or require more than 50 cubic yards of grading.

A CUP is required to locate a commercial transmission and receiving antenna on a property within the Office Professional (OP) Zone. Solana Beach Municipal Code (SBMC) Section 17.60.120.G requires the approval of a CUP for all WCF's that are in compliance with City Council Policy 21. City Council Policy 21 indicates that WCF's are allowed in all zones with the approval of a CUP that is in compliance with the guidelines established by the policy and that these shall be followed in the review of CUP's for new WCF's as well as extensions and amendments to existing installations. A DRP is required for "any new commercial development or construction (including any structural addition to existing development) located within any commercial zone which results in an increase of more than 500 feet of gross floor area or to the overall building envelope." And a Structure Development Permit (SDP) is required for this project pursuant to SBMC section 17.63.040.A because the proposed addition exceeds 16 feet in height from the existing grade.

A draft Resolution has been provided based upon the information provided in this report and the City consultant's analysis of the proposed project. It includes the applicable SBMC sections in italicized text. Council may direct Staff to modify the Resolution to reflect the findings and conditions it deems appropriate as a part of the Public Hearing process.

### Conditional Use Permit:

In addition to meeting zoning requirements, the Council can approve, or conditionally approve a CUP only if all of the findings listed below can be made.

1. Before granting a conditional use permit, the Planning Director or City Council shall make all of the following findings:
  - a. That the proposed use is in accord with the general plan, the general intent of this title, and the purposes of the zone in which the site is located.

- b. That the proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.
  - c. That the proposed use complies with each of the applicable provisions of the zoning ordinance, unless a variance is granted pursuant to SBMC 17.68.020.
2. If the conditional use permit is for the purpose of permitting an expansion, restoration, or extension of a nonconforming use or structure then only the findings of Chapter 17.16 SBMC must be made.

According to City Council Policy 21, the City Council shall consider the following factors when reviewing a CUP for a WCF:

- a. Compliance with the guidelines listed in Council Policy 21
- b. Height and Setbacks
- c. Proximity to residential uses
- d. The nature of uses on adjacent and nearby properties
- e. Surrounding topography and landscape
- f. Quality and compatibility of design and screening
- g. Impacts on public views and the visual quality of the surrounding area
- h. Availability of other facilities and buildings for co-location

The proposed WCF is proposed to be located on an existing building that is located on property within the Office Professional (OP) Zone. According to the County Assessor's records the existing structure was constructed onsite prior to the City's Incorporation. As designed, the project includes the construction of a new antenna enclosure on the top of the existing elevator tower in order to mount 12 panel antennas, 32 Remote Radio Units (RRU's), six surge suppressors, and two GPS antennas behind fiber reinforced plastic screening colored and textured to match the existing building. The Applicant would remove a portion of the existing retaining wall that surrounds an existing landscape planter and excavate the soil and remove the existing vegetation in order to pour a concrete slab for an equipment enclosure. A new door and landing would also be constructed to provide access to the equipment enclosure. Inside the enclosure the Applicant would install four stack-mounted radio equipment cabinets, one power cabinet, one battery cabinet and telephone and electric utility panels. In addition, an existing diseased tree adjacent to the proposed equipment enclosure would be removed and replaced with the proposed project. Project plans are provided in Attachment 2.

The proposed project could be found to be consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Telecom Law Firm PC is the City's third-party telecom consultant hired to review all WCF projects submitted to the City. They have provided three reports providing their analysis of the proposed site (Attachment 3). Their analysis includes the following: 1) whether Section 6409(a) applies to the subject project, 2) whether the proposed project complies with the Solana Beach Municipal Code and City Council Policy 21, 3) whether potential alternatives exist that deserve additional consideration, and 4) whether the proposed site demonstrates planned compliance with the federal radio frequency exposure guidelines.

The project site is not subject to Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 regarding mandatory approval because AT&T is proposing to construct a new site rather than collocate or modify the transmission equipment of an existing site.

In 2008, the City Council adopted Council Policy 21 to establish the review and approval guidelines for Wireless Communications Facilities. Council Policy 21, section A.1 Location Guidelines for Placement of WCF's, lists the preferred locations for WCF's in descending order of preference. The fourth most preferred location is on property within the "Other Non-Residential Zones" (which would include the OP Zone).

Council Policy 21, Section A.2, requires that in all areas of the City:

*WCFs should locate where least visible to the public and where least disruptive to the appearance of the host property. Furthermore, no WCF should be installed on an exposed ridgeline or in a location readily visible from a public place, recreation area, scenic area or residential area unless it is satisfactorily located and/or screened so it is hidden or disguised to fit with the surrounding site design, architecture, and landscaping.*

No portion of the proposed antenna supports or equipment will be visible to the public. The proposed antenna enclosure will be constructed to screen all of the proposed antennas and RRU's. The remaining equipment proposed with this permit will be placed in a below grade equipment enclosure previously used as a landscape planter.

Section B.1 Design Guidelines indicates that:

*All aspects of the WCF, including the supports, antennas, screening methods, and equipment shall exhibit "stealth" design techniques so they visually blend into the background or the surface on which they are mounted. Subject to City approval, developers should use false architectural elements (e.g., cupolas, bell towers, dormers, and chimneys), architectural treatments (e.g., colors and materials), elements replicating natural features (e.g., trees and rocks), landscaping, and other creative means to hide or disguise WCFs. Stealth can also refer to facilities completely hidden by existing improvements, such as parapet walls.*

The original project design did not comply with maximum height limit for the OP Zone and other potential sites within the area were identified that would rank higher under the Council Policy 21 stealth design and location guidelines. Staff had the Applicant provide an analysis of several other single and multi-site locations with the surrounding area that could be considered as potential alternative site locations. However, in order to consider these sites, additional information was required. The analysis of these locations is discussed in more detail in the reports provided by Telecom Law Firm PC (Attachment 3). The Applicant has since redesigned the project to be in compliance with the maximum building height regulations of the zone. Therefore, the proposed project could be found to be in compliance with Council Policy 21 and the underlying zoning regulations. If the Council determines that they are unable to make the required findings and approve the project, Staff would request additional information from the Applicant in order to fully analyze the alternative site locations discussed in the attached reports.

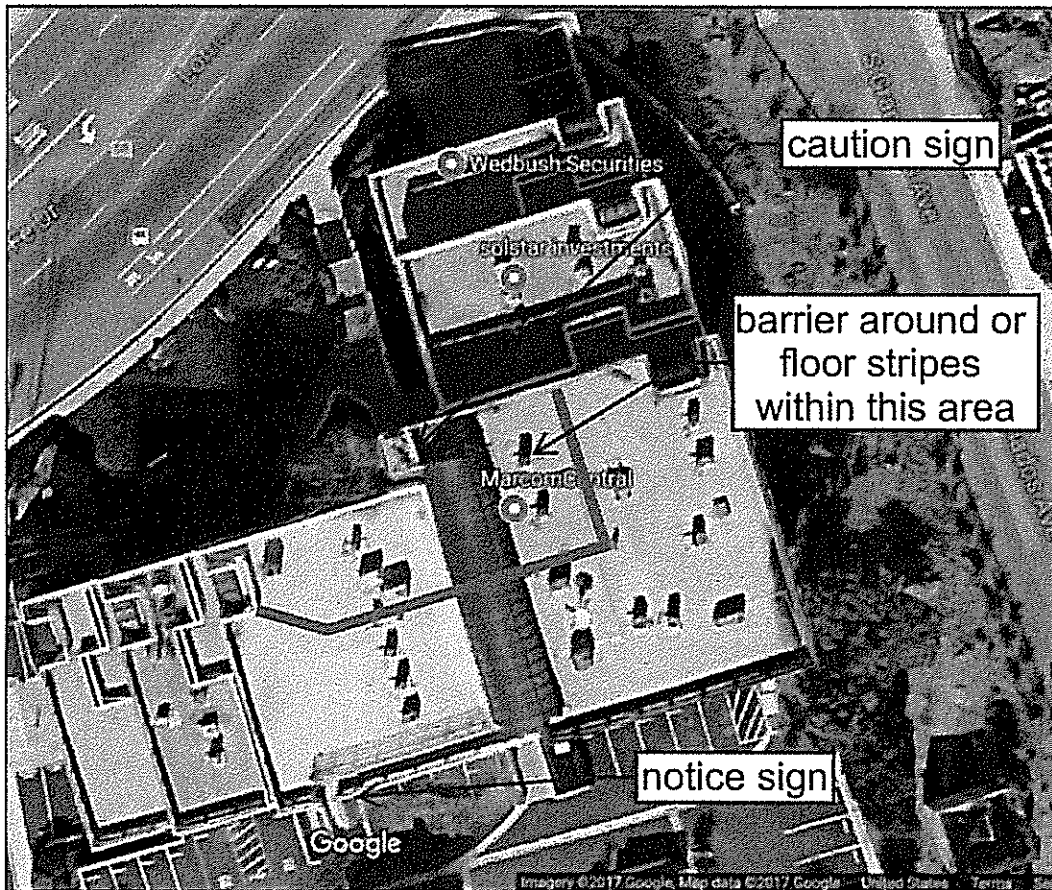
As designed, the proposed antenna enclosure will be located at the top of the existing elevator tower on the north side of the existing building. The enclosure will increase the width and depth of the top 12 feet of the tower by approximately three feet and will increase the overall height of the tower by four feet. The height of the tower would be 41.5 feet from the existing grade directly adjacent to the tower. The highest portion of the antenna enclosure would be at the same height as the existing skylight. The SBMC indicates that the maximum building height for the OP Zone is 45 feet in height. City Council Policy 21 indicates that WCF's should adhere to the existing height limitations for structures and buildings of the zone in which they are located. Because the tallest point of the panel antennas is below 45 feet, it could be found that the proposed antennas adhere to the height limitations for the structures of the zone in which they are located.

According to SBMC 17.28.030, the minimum required setbacks for development in the OP Zone are 15 feet for the front, zero feet for the rear and 15 feet for the street side yards. If the property abuts a residentially zoned property to the side or rear, the required setback is increased to 15 feet. Council Policy 21 indicates that all WCF's and proposed equipment should adhere to the building setbacks for the Zone in which they are located. The Policy also requires that if the project site is next to a residential zone, the WCF should be set back from the residential boundary a minimum distance equal to the above-ground height of the antenna. The property directly east of the site is zoned Low Medium Residential (LMR) and properties to the south of the site are zoned Low Residential (LR). Properties north are Zoned Light Commercial (LC) and west are Special Commercial (SC). As designed, the proposed WCF meets the required setbacks and the closest residentially zoned property is located 175 feet to the south. The proposed antenna and equipment enclosures could be found in compliance with the setback requirements.

The Federal Communications Commission sets the safety standards for Radio Frequency (RF) in the United States. The City is not permitted to set its own standards regardless of whether higher, lower, or even the same as the FCC's standards. The Commission does permit the City to determine whether the proposed wireless project meets the required RF safety requirements. The Applicant provided a RF emissions

report. The Federal Communications Commission (FCC) indicates that certain types of wireless projects are deemed to be categorically excluded or not subject to further RF evaluation if the antennas' supporting structure is not a building or shared to perform some other function and the lowest portion of the transmitting antenna is at least 10 meters above ground (approximately 32.8 feet). The proposed project does not qualify for this categorical exclusion because the antennas are attached to an occupied building. The Applicant has submitted an updated third party Radio Frequency Safety Survey Report Prediction prepared by Waterford Compliance dated March 30, 2017. This report indicates that there would be a controlled access zone extending approximately 34 feet horizontally from the face of the antennas at roughly the height of the antennas at all four antenna sectors. The existence of the controlled access zone does not mean that the project violates the FCC rules; rather, it indicates that the carrier must affirmatively restrict public access to that area so that members of the general population (including trespassers) cannot unknowingly enter and be exposed to radio emissions in excess of those allowed by the FCC. To comply with the existing FCC rules and FCC OET Bulletin 65 rules regarding RF safety, conditions of project approval have been recommended that require the following:

1. Permittee shall keep all access points to the main/uppermost rooftop area closed and locked at all times except when active maintenance is being performed on the main/uppermost rooftop or the equipment on the main/uppermost rooftop.
2. Permittee shall install, and at all times maintain in good condition, an "RF Information" or "RF Notice" sign at any main/uppermost rooftop access point(s). Permittee shall install the sign(s) required under this condition so that a person may clearly see and understand the sign before he or she accesses the main/uppermost rooftop area. The sign(s) required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the main/uppermost rooftop area is in both the open or closed position (e.g., placed on the wall adjacent to the door where it would not be covered by the door in the open position).
3. Permittee shall install, and at all times maintain in good condition, a polyurethane chain-link barrier in approximately the locations shown in Figure 1 below. Permittee shall also install, and at all times maintain in good condition an "RF Caution" sign on the chain-link barrier in locations where they will be visible to a person approaching the antennas from the main/uppermost rooftop area. In the alternative, Permittee may install alternating floor stripes within the area shown in the figure below:



4. Permittee shall keep the access point to the antenna enclosure closed and locked at all times, except when active maintenance is being performed on the antenna enclosure or the equipment within the antenna enclosure.
5. Permittee shall install, and at all times maintain in good condition, an "RF Caution" sign adjacent to the access ladder leading to the antenna enclosure. Permittee shall install the sign required under this condition so that a person may clearly see and understand the sign before he or she accesses the antenna enclosure. The sign required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the antenna enclosure is in both the open or closed position.
6. Permittee shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.

As conditioned, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvement in the vicinity as determined by the FCC based on its exposure limits.

Development Review Permit Compliance (SBMC Section 17.68.40):

A DRP is required for "any new commercial development or construction (including any structural addition to existing development) located within any commercial zone which results in an increase of more than 500 feet of gross floor area or to the overall building envelope."

In addition to meeting the zoning requirements, the project must also be found in compliance with development review criteria. The following is a list of the development review criteria topics:

1. Relationship with Adjacent Land Uses
2. Building and Structure Placement
3. Landscaping
4. Roads, Pedestrian Walkways, Parking, and Storage Areas
5. Grading
6. Lighting
7. Usable Open Space

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. Resolution 2017-167 provides the full discussion of the required findings below:

1. The proposed development is consistent with the general plan and all applicable requirements of this title, including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.
3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.
4. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the applicant obtaining the required permit or approval from the other agency.

If the above findings cannot be made, the Council shall deny the DRP. The following is a discussion of the applicable development review criteria as they relate to the proposed project.



#### Relationship with Adjacent Land Uses:

The property is located within the OP Zone and the SAOZ. Properties to the west are located within the Special Commercial (SC) Zone and developed with the Minute Shop liquor store, to the north are in the Light Commercial Zone and are developed with a two story mixed retail and office building. Properties to the east are located within the Low Medium Residential (LMR) Zone and to the south properties are within the Low Residential (LR) Zone. The residentially zoned lots are developed with a mix of one and two story, single family residences. The project site is currently developed with a multi-level office building with a parking lot located towards the southern property line. The project, as designed, is consistent with the specific development standards of the OP Zone as described in SBMC Sections 17.24.010 and 17.12.020. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

The property is located within the SAOZ, however, as mentioned previously can be found exempt from the specific requirements of the overlay zone because it is a minor modification. As a condition of project approval, the Applicant would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

#### Building and Structure Placement:

The proposed WCF addition would increase the height, depth, and width of the existing elevator enclosure in order to provide space to install three antennas in four sectors and associated equipment. The soil and vegetation will be removed from an existing planter area at the ground level in order to provide a below grade equipment enclosure.

The OP Zone has required setbacks of 15 feet for the front, 15 feet for a street side and 15 feet for the rear when it is abutting residentially zoned properties. As designed the proposed equipment enclosure would be setback approximately 70 feet from Lomas Santa Fe and the antenna enclosure would be setback approximately 90 feet. The maximum building height for the OP zone is 45 feet as measured from the lower of the existing or proposed grade, the tallest point of the proposed antenna enclosure would be approximately 41.5 feet above the existing grade directly adjacent to the enclosure.

#### Fences, Walls and Retaining Walls:

A portion of an existing retaining wall will be removed and replaced with the construction of the equipment enclosure. A condition of approval has been added to require that the Applicant paint and texture the CMU retaining walls around the equipment enclosure to match the existing walls in the stairwells.

#### Landscape:

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. As designed, approximately 158 square feet of landscaped area will be removed in order to construct the below grade equipment enclosure. The Applicant would remove a portion of the existing retaining wall that surrounds an existing landscape planter and excavate the soil and remove the existing vegetation in order to pour a concrete slab. In addition, an existing diseased tree adjacent to the proposed equipment enclosure would be removed and replaced with the proposed project.

#### Parking:

No additional parking is required for an unmanned WCF.

#### Grading:

The proposed grading quantities include 29.4 cubic yards for the excavation to be exported off-site in order to remove the existing plant and soil from the planter box and construct a below grade equipment enclosure for the proposed WCF.

#### Lighting:

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

#### Usable Open Space:

The project consists of the construction of a new WCF on an existing office building, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

#### Structure Development Permit Compliance:

The proposed antenna enclosure will exceed 16 feet in height from the pre-existing grade therefore, the project must comply with all of the requirements of SBMC Chapter 17.63 (View Assessment) and the Applicants must complete the SDP process. Story poles were erected onsite and a Story Pole Height Certificate was issued by a licensed land surveyor on August 2, 2017, which showed a maximum building height of 41.5 feet. The highest story pole was certified at 153.2 feet above Mean Sea Level (MSL) as measured from the existing grade.

Notices were mailed to all property owners and residents within 300 feet of the property and the deadline to file for View Assessment was November 22, 2017. No applications

for view assessment were received. Therefore, the requirements for the approval of a SDP have been met. The SDP will be issued administratively with the CUP and DRP should the Council determine that the findings can be made to approve the project.

As a condition of project approval, once construction has begun, the Applicant will be required to submit a height certification, prior to the framing inspection, for the tallest portion of the proposed antenna enclosure. The Height Certification will be signed by a licensed land surveyor and will verify that the framing materials and the proposed roofing materials will not exceed the maximum building heights approved by the SDP.

**Public Hearing Notice:**

Notices of the City Council public hearing for the project were mailed to property owners and occupants within 300 feet of the proposed project site more than 10 days prior to the planned public hearing date of December 13, 2017. As of the date of preparation of this Staff Report, Staff has not received any letters, phone calls, or e-mails from neighbors or interested parties in support of, or in opposition to, the proposed project.

Conditions from the Community Development Department as well as the City's consultant have been incorporated into the Resolution of Approval (Attachment 1). In conclusion, Staff recommends the City Council adopt Resolution 2017-167.

**CEQA COMPLIANCE STATEMENT:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301 of the State CEQA Guidelines.

**FISCAL IMPACT:** N/A

**WORKPLAN:** N/A

**OPTIONS:**

- Approve Staff recommendation adopting the attached Resolution 2017-167.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all required findings for the approval of a CUP and DRP.
- Direct Staff to analyze alternative site locations.
- Deny the project if all required findings for the CUP and/or the DRP cannot be made.

**DEPARTMENT RECOMMENDATION:**

Because the Act mandates that the project be approved, 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 15301 of the State CEQA Guidelines; and
3. Adopt Resolution 2017-167 conditionally approving a CUP/DRP/SDP for a new WCF and associated equipment located on the roof of an existing commercial office building at 201 Lomas Santa Fe, Solana Beach.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Resolution 2017-167
2. Project Plans
3. Report from Telecom Law Firm

**RESOLUTION NO. 2017-167**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A CONDITIONAL USE PERMIT, DEVELOPMENT REVIEW PERMIT AND STRUCTURE DEVELOPMENT PERMIT FOR A NEW WIRELESS COMMUNICATIONS FACILITY LOCATED ON THE EXISTING COMMERCIAL STRUCTURE AT 201 LOMAS SANTA FE, SOLANA BEACH**

**APPLICANT: AT&T Mobility**  
**CASE NO.: 17-17-15 CUP/DRP/SDP**

**WHEREAS**, AT&T Mobility (hereinafter referred to as "Applicant") has submitted an application for a Conditional Use Permit (CUP), Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC) and City Council Policy 21; and

**WHEREAS**, the Applicant is proposing a new WCF location in order to replace a WCF being removed from the commercial structure at 505 Lomas Santa Fe; and

**WHEREAS**, at the hearing on December 13, 2017, the City Council received and considered evidence concerning the proposed application; and

**WHEREAS**, on December 13, 2017, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

**WHEREAS**, the City Council of the City of Solana Beach found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

**WHEREAS**, this decision is based upon the evidence presented at the hearings, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

**NOW THEREFORE**, the City Council of the City of Solana Beach, California, does resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the request for a CUP/DRP/SDP to construct a new WCF located on the top of the existing elevator tower of an existing commercial office building and a ground level equipment enclosure at 201 Lomas Santa Fe is conditionally approved based upon the following Findings and subject to the following Conditions:
3. FINDINGS
  - A. In accordance with Section 17.68.010 (Conditional Use Permit) of the City of

Solana Beach Municipal Code, the City Council finds the following:

- I. *Before granting a Conditional Use Permit, the Planning Director or City Council shall make all of the following findings:*
  - a. *The proposed use is in accord with the General Plan, the general intent of this title, and the purposes of the zone in which the site is located.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

- b. *The proposed use, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*

The Applicant has submitted an updated third party Radio Frequency Safety Survey Report Prediction prepared by Waterford Compliance dated March 30, 2017. This report

indicates that there would be a controlled access zone extending approximately 34 feet horizontally from the face of the antennas at roughly the height of the antennas at all four antenna sectors. The existence of the controlled access zone does not mean that the project violates the FCC rules; rather, it indicates that the carrier must affirmatively restrict public access to that area so that members of the general population (including trespassers) cannot unknowingly enter and be exposed to radio emissions in excess of those allowed by the FCC. Therefore, the project will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvement in the vicinity as determined by the FCC based on its exposure limits.

- c. *That the proposed use complies with each of the applicable provision of the zoning ordinance, unless a variance is granted pursuant to SBMC 17.68.020*

The proposed project complies with the property development regulations of SBMC 17.24.030, as well as the Wireless Communications Facilities guidelines of City Council Policy 21, which are required according to SBMC Section 17.60.120 for maximum height, setbacks, proximity to residential properties, impacts on public views and visual quality of the surrounding area.

- II. *If the Conditional Use Permit is for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure then only the findings of Chapter 17.16 SBMC must be made.*

The proposed project is not for the purpose of permitting an expansion, restoration or extension of a nonconforming use or structure.

- B. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. *The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones, and specific plans.*

General Plan Consistency: The proposed project, as conditioned, is consistent with the City's General Plan designation of Office/Professional which provides for professional office and general office in addition to other compatible uses such as religious facilities, educational institutions, parks and recreation facilities, and public utilities. Further, the proposed development is consistent with the objectives of the General Plan as it encourages the

development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17), which delineates Permitted Uses and Structures (SBMC Section 17.24.020 and 17.24.030), and provides for uses which allow an Applicant to locate a commercial transmission and receiving antenna on a property within the OP Zone. Further, the proposed project adheres to all property development regulations established for the OP Zone and cited by the SBMC Section 17.24.030.

The design of the proposed project is consistent with the provisions for minimum yard dimensions (i.e. setbacks) and maximum building height. The project also complies with City Council 21 regulations as required by SBMC Section 17.60.120 for height, setbacks, proximity to residential uses, the uses of surrounding properties, quality and compatibility of design and screening, and impacts to public views and visual quality of the surrounding areas.

II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040(F):*

a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and complementary to existing development in the immediate vicinity of the project site and the surrounding neighborhood. The development as proposed shall also be compatible in scale, apparent bulk, and massing with such existing development in the surrounding neighborhood. Site planning on or near the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects.*

The property is located within the OP Zone and the SAOZ. Properties to the west are located within the Special Commercial (SC) Zone and developed with the Minute Shop liquor store, to the north are in the Light Commercial Zone and are developed with a two story mixed retail and office building. Properties to the east are located within the Low Medium Residential (LMR) Zone and to the south properties are within the Low Residential (LR) Zone. The residentially zoned lots are developed with a mix of one and two story, single family residences. The project site is currently developed with a multi-level office building with a parking lot located towards the southern property line. The project, as designed, is



consistent with the specific development standards of the OP Zone as described in SBMC Sections 17.24.010 and 17.12.020. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development of commercial land uses which strengthen the City's economic base and offer a range of commercial enterprises to meet the needs of the residents and visitors.

The property is located within the SAOZ, however, as mentioned previously can be found exempt from the specific requirements of the overlay zone because it is a minor modification. As a condition of project approval, the Applicant would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed to minimize adverse impacts on the surrounding properties and designed in a manner which visually and functionally enhance their intended use and complement existing site topography. Multi-family residential buildings shall be sited to avoid crowding and to allow for a functional use of the space between buildings.*

The proposed WCF addition would increase the height, depth, and width of the existing elevator enclosure in order to provide space to install three antennas in four sectors and associated equipment. The soil and vegetation will be removed from an existing planter area at the ground level in order to provide a below grade equipment enclosure.

The OP Zone has required setbacks of 15 feet for the front, 15 feet for a street side and 15 feet for the rear when it is abutting residentially zoned properties. As designed the proposed equipment enclosure would be setback approximately 70 feet from Lomas Santa Fe and the antenna enclosure would be setback approximately 90 feet. The maximum building height for the OP zone is 45 feet as measured from the lower of the existing or proposed grade, the tallest point of the proposed antenna enclosure would be approximately 41.5 feet above the existing grade directly adjacent to the enclosure.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. To the maximum extent practicable, landscaping and plantings shall be used to screen parking areas, storage areas, access roads, and other service uses of the site. Trees and other large plantings shall not obstruct significant views when installed or at maturity. Drought*

*tolerant plant materials and water conserving irrigation systems shall be incorporated into all landscaping plans.*

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. As designed, approximately 158 square feet of landscaped area will be removed in order to construct the equipment enclosure. The Applicant would remove a portion of the existing retaining wall that surrounds an existing landscape planter and excavate the soil and remove the existing vegetation in order to pour a concrete slab. In addition, an existing diseased tree adjacent to the proposed equipment enclosure would be removed and replaced with the proposed project.

- d. Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

No additional parking is required for an unmanned WCF.

- e. Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized non-native vegetation and existing erosion problems shall be corrected.*

The proposed grading quantities include 29.4 cubic yards for the excavation to be exported off-site in order to remove the existing plant and soil from the planter box and construct a below grade equipment enclosure for the proposed WCF.

- f. Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of the construction of a new WCF on an existing office building, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

- III. All required permits and approvals issued by the City, including variances, conditional use permits, comprehensive sign plans, and coastal development permits, have been obtained prior to or concurrently with the development review permit.*

All required permits are being processed concurrently with the CUP. As a condition of project approval, the Applicant shall obtain approval from the CCC prior to issuance of Building Permits.

- IV. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the applicant obtaining the required permit or approval from the other agency.*

As a condition of project approval, the Applicant will be required to obtain approval from the California Coastal Commission (CCC) prior to the issuance of Building Permits.

- C. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:
  - I. Notices were mailed to all property owners and residents within 300 feet of the property and the deadline to file for View Assessment was November 22, 2017. No applications for View Assessment were received.

Therefore, the requirements for the approval of a SDP have been met. The SDP will be issued administratively with the CUP and DRP.

As a condition of project approval, once construction has begun, the Applicant will be required to submit a height certification prior to the framing inspection. The Height Certification will be signed by a

licensed land surveyor and will verify that the framing materials and the proposed roofing materials will not exceed the maximum building height of 41.5 feet from the existing grade or 153.2 feet above MSL as approved by the SDP.

#### 4. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicant shall provide for and adhere to the following conditions:

##### A. Community Development Department Conditions:

- I. Building Permit plans must be in substantial conformance with the plans presented to the City Council on December 13, 2017, located in the project file with a submittal date of November 30, 2017.
- II. The Applicant shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a building permit.
- III. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- IV. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.
- V. This permit will automatically expire 10 years and one day from its issuance, except when California Government Code § 65964(b), as may be amended or superseded in the future, authorizes the City to establish a shorter term for public safety or substantial land use reasons. Any other permits or approvals issued in connection with any collocation, modification or other change to this wireless facility, which includes without limitation any permits or other approvals deemed-granted or deemed-approved under federal or state law, will not extend this term limit unless expressly provided otherwise in such permit or approval or required under federal or state law.
- VI. Before Permittee submits any applications to the Building Department, Permittee must incorporate this permit, all conditions associated with this permit and the approved photo simulations into the project plans (the "**Approved Plans**"). Permittee must construct, install and operate the wireless facility in strict compliance with the Approved Plans. Any alterations, modifications or other changes to the Approved Plans, whether requested by Permittee or required by other departments or public agencies with jurisdiction over the wireless facility, must be submitted in a written request subject to the

Director's prior review and approval, who may refer the request to the original approval authority if the Director finds that the requested alteration, modification or other change substantially deviates from the Approved Plans or implicates a significant or substantial land-use concern.

- VII. Permittee shall keep the site, which includes without limitation any and all improvements, equipment, structures, access routes, fences and landscape features, in a neat, clean and safe condition in accordance with the Approved Plans and all conditions in this permit. Permittee shall keep the site area free from all litter and debris at all times. Permittee, at no cost to the City, shall remove and remediate any graffiti or other vandalism at the site within 48 hours after Permittee receives notice or otherwise becomes aware that such graffiti or other vandalism occurred.
- VIII. Permittee shall maintain compliance at all times with all federal, state and local statutes, regulations, orders or other rules that carry the force of law ("**Laws**") applicable to Permittee, the subject property, the wireless facility or any use or activities in connection with the use authorized in this permit, which includes without limitation any Laws applicable to human exposure to RF emissions. Permittee expressly acknowledges and agrees that this obligation is intended to be broadly construed and that no other specific requirements in these conditions are intended to reduce, relieve or otherwise lessen Permittee's obligations to maintain compliance with all Laws. In the event that the City fails to timely notice, prompt or enforce compliance with any applicable provision in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation, the applicant or permittee will not be relieved from its obligation to comply in all respects with all applicable provisions in the Solana Beach Municipal Code, any permit, any permit condition or any applicable law or regulation.
- IX. Permittee shall use all reasonable efforts to avoid any and all undue or unnecessary adverse impacts on nearby properties that may arise from Permittee's or its authorized personnel's construction, installation, operation, modification, maintenance, repair, removal and/or other activities at the site. Permittee shall not perform or cause others to perform any construction, installation, operation, modification, maintenance, repair, removal or other work that involves heavy equipment or machines except during normal construction work hours authorized by the Solana Beach Municipal Code. The restricted work hours in this condition will not prohibit any work required to prevent an actual, immediate harm to property or persons, or any work during an emergency declared by the City. The Director or the Director's designee may issue a stop work order for

any activities that violates this condition.

- X. Permittee expressly acknowledges and agrees that the City's officers, officials, staff or other designee may enter onto the site and inspect the improvements and equipment upon reasonable prior notice to Permittee; provided, however, that the City's officers, officials, staff or other designee may, but will not be obligated to, enter onto the site area without prior notice to support, repair, disable or remove any improvements or equipment in emergencies or when such improvements or equipment threatens actual, imminent harm to property or persons. Permittee will be permitted to supervise the City's officers, officials, staff or other designee while any such inspection or emergency access occurs.
- XI. Permittee shall furnish the Director with accurate and up-to-date contact information for a person responsible for the wireless facility, which includes without limitation such person's full name, title, direct telephone number, facsimile number, mailing address and email address. Permittee shall keep such contact information up-to-date at all times and immediately provide the Director with updated contact information in the event that either the responsible person or such person's contact information changes.
- XII. Permittee must maintain complete and accurate copies of all permits and other regulatory approvals issued in connection with the wireless facility, which includes without limitation this approval, the approved plans and photo simulations incorporated into this approval, all conditions associated with this approval and any ministerial permits or approvals issued in connection with this approval. In the event that Permittee does not maintain such records as required in this condition, any ambiguities or uncertainties that would be resolved through an inspection of the missing records will be construed against Permittee. Records may be kept in electronic format.
- XIII. Permittee shall taper the FRP screen walls to the existing building façade on all sides, beginning at the bottom 1/3 of the screen wall.
- XIV. Permittee shall paint and texture the vertical cable riser to match the existing alternating colors on the building.
- XV. Permittee shall paint and texture the FRP screen walls to match the existing color on the building at the height of the screen walls.
- XVI. Permittee shall paint and texture the CMU retaining walls around the equipment enclosure to match the existing walls in the stairwells.
- XVII. Permittee shall hire and pay for a licensed arborist to select, plant

and maintain a replacement tree in an appropriate location for the species. Only ISA Certified tree workers under the supervision of a licensed arborist shall be used to install the replacement tree. The replacement tree shall be at least a 48" box size, and a type that generally does not exceed 25' in mature overall height, so as not to protrude above the roofline when viewed from vantage points in publicly accessible spaces to the east of the site location. The planting hole shall be at least three times the diameter of the root ball but only as deep as the root ball. The trunk flare at the base of the tree shall be visible after the replacement tree has been planted. Permittee shall, at all times, be responsible to maintain the replacement tree.

- XVIII. Permittee shall replace any landscape features damaged or displaced by the construction, installation, operation, maintenance or other work performed by Permittee or at Permittee's direction on or about the site.
- XIX. Permittee shall install, and at times maintain in good condition, all equipment, including without limitation antennas, remote radio units, power surge suppressors, GPS antennas, equipment cabinets, power cabinets, battery cabinets and utility panels, fully concealed from public view within FRP screening or the CMU wall enclosure, as applicable.
- XX. Permittee shall keep all access points to the main/uppermost rooftop area closed and locked at all times except when active maintenance is being performed on the main/uppermost rooftop or the equipment on the main/uppermost rooftop.
- XXI. Permittee shall install, and at all times maintain in good condition, an "RF Information" or "RF Notice" sign at any main/uppermost rooftop access point(s). Permittee shall install the sign(s) required under this condition so that a person may clearly see and understand the sign before he or she accesses the main/uppermost rooftop area. The sign(s) required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the main/uppermost rooftop area is in both the open or closed position (e.g., placed on the wall adjacent to the door where it would not be covered by the door in the open position).
- XXII. Permittee shall install, and at all times maintain in good condition, a polyurethane chain-link barrier in approximately the locations shown in Figure 1 below. Permittee shall also install, and at all times maintain in good condition an "RF Caution" sign on the chain-link barrier in locations where they will be visible to a person approaching the antennas from the main/uppermost rooftop area. In the

alternative, Permittee may install alternating floor stripes within the area shown in Figure 1.

- XXIII. Permittee shall keep the access point to the antenna enclosure closed and locked at all times, except when active maintenance is being performed on the antenna enclosure or the equipment within the antenna enclosure.
- XXIV. Permittee shall install, and at all times maintain in good condition, an "RF Caution" sign adjacent to the access ladder leading to the antenna enclosure. Permittee shall install the sign required under this condition so that a person may clearly see and understand the sign before he or she accesses the antenna enclosure. The sign required under this condition shall be placed in a location where it will be visible whether the door, hatch or other barrier to the antenna enclosure is in both the open or closed position.
- XXV. Permittee shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.
- XXVI. AT&T shall power-down the antennas whenever maintenance personnel other than AT&T perform any work on the roof of the building.
- XXVII. AT&T shall install and at all times maintain in good condition an RF Notice at all access points to the roof area. AT&T shall install the RF Notice signs in a location where anyone approaching the roof access point may clearly see the sign.
- XXVIII. AT&T shall install and at all times maintain in good condition a physical barrier that (1) restricts physical access to the controlled zones in front of the 50\* TN and 240\* TN sectors and (2) substantially conforms to the example provided in Figure 1, of the report dated December 5, 2013. Each barrier shall include an RF Caution sign placed where anyone approaching the barrier will clearly see it before entering the controlled zone.
- XXIX. AT&T shall ensure that all signs comply with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.



- XXX. All equipment such as, but not limited to, emergency generators and air conditioners, shall be designed and operated consistent with the City's noise standards.
- XXXI. All facilities, related equipment, and landscaping shall be maintained in good condition and free from trash, debris, graffiti, and any form of vandalism. Damaged equipment and damaged, dead or decaying landscaping shall be replaced promptly.
- XXXII. Routine maintenance of equipment located in residential zones or within 100 feet of a residential district shall be conducted only during the hours of 8am and 5pm on weekdays, not including holidays. In other areas, routine maintenance may be conducted within a reasonable length of time to be determined by the City Manager or his designee in the cases of power outages and equipment failure or malfunction. Equipment "change out" and overhaul can occur any time within 30 days notice to the Director of Community Development to allow notice to property owners and residents within 300 feet of the facility.
- XXXIII. Maintenance shall not take place on Sundays or holidays.
- XXXIV. Security lighting should be kept to a minimum and should only be triggered by a motion detector where practical.
- XXXV. Within 6 months after the issuance of occupancy and with each time extension or amendment request, the developer/operator shall submit to the Planning Director either a verification that the WCF is categorically excluded from having to determine compliance with the guidelines per 47 CFR 1.1307(b)(1) or a project implementation report that provides cumulative field measurements of RF electromagnetic fields of all antennas installed at the subject site. The report shall quantify the RF emissions and compare the results with the project's preliminary proposal report submitted with the initial project application and the accepted ANSI/IEEE standards. If, on review, the Planning Director finds that the project does not meet ANSI/IEEE standards, the City may take any action necessary, as provided by law, to require compliance including, but not limited to, revoking the CUP.
- XXXVI. Any WCF that is not operated for a continuous period of 90 days will be considered abandoned.
- XXXVII. Within 90 days of receipt of notice from the City notifying the owner of such abandonment, the WCF owner must remove the facility and restore the site, as much as is reasonable and practical, to its prior

condition. If such WCF is not removed within 90 days, the WCF will be considered a nuisance and in addition to any other available remedy, will be subject to abatement under Chapter 6.04 of the SBMC. If there are two or more users of a single WCF, then this provision will not become effective until all users stop using the WCF. The provider or owner must give notice to the City of the intent to discontinue use of any facility before discontinuing the use.

5. ENFORCEMENT: Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.
6. EXPIRATION: The Conditional Use Permit for WCF's shall be granted for a period not to exceed ten (10) years. Upon a request for either an extension of an amendment of a CUP, the WCF should be reevaluated to assess the impact of the facility on adjacent properties, the record of maintenance and performance with reference to the conditions of approval and consistency with these guidelines. The project will expire on December 13, 2027 or sooner if the WCF is not operated for a continuous period of 90 days in that case the WCF will be considered abandoned.
7. INDEMNIFICATION AGREEMENT: The Applicant shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify Applicant of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, Applicant shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicant regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicant shall not be required to pay or perform any settlement unless such settlement is approved by Applicant.
8. NOTICE TO APPLICANT: Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the

date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 13<sup>th</sup> day of December, 2017, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

\_\_\_\_\_  
MIKE NICHOLS, Mayor

APPROVED AS TO FORM:

ATTEST:

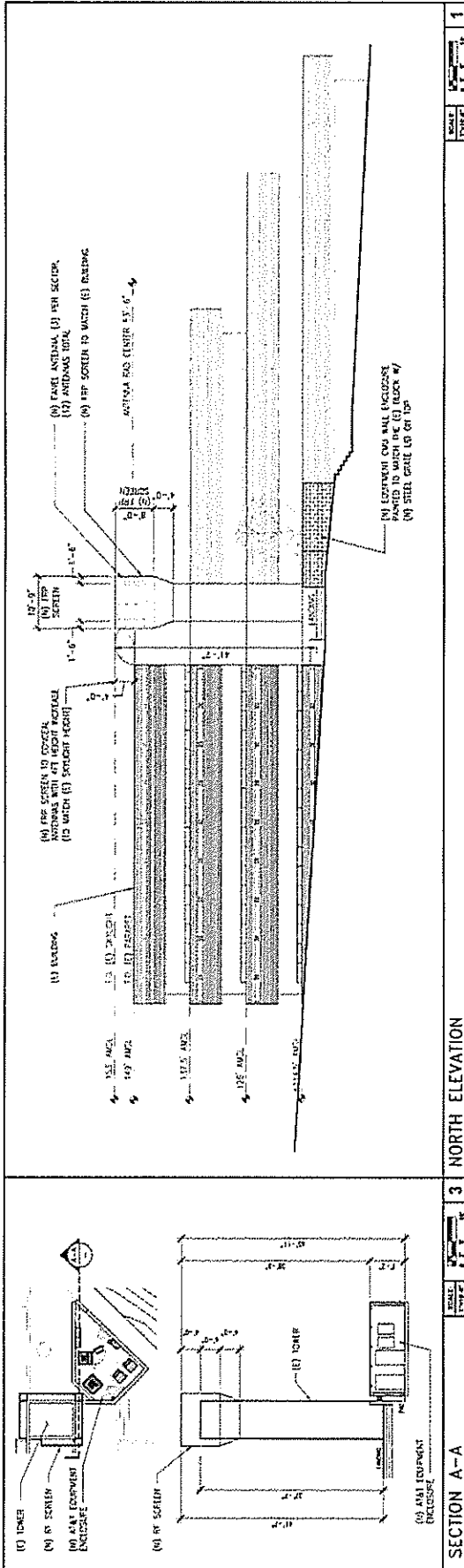
\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk

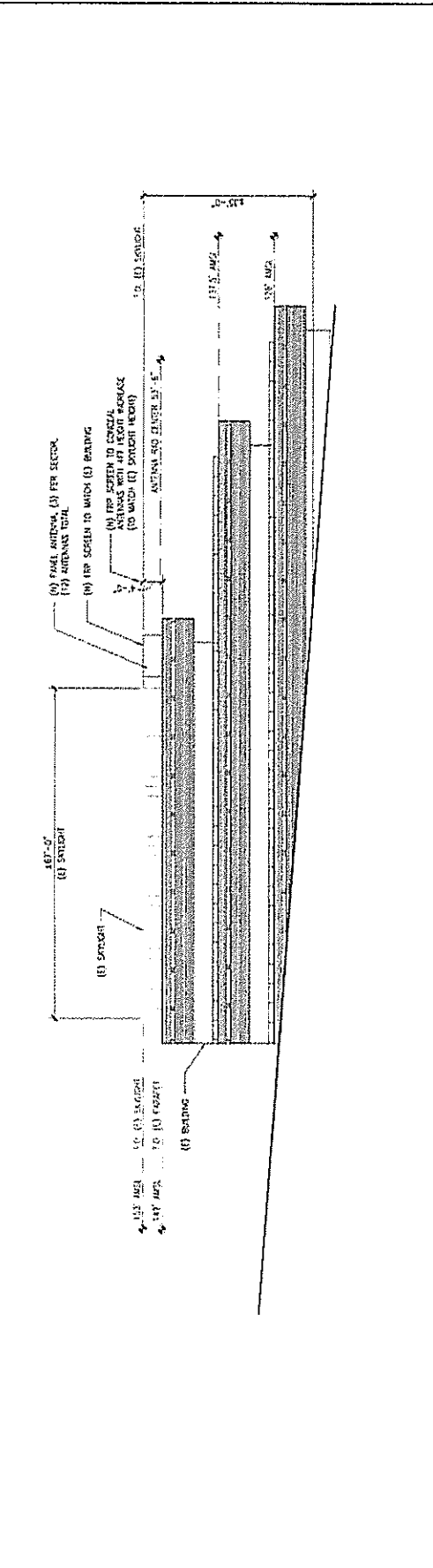








SECTION A-A NORTH ELEVATION



EAST ELEVATION

 1000 FLOOR STREET, SUITE 1000, SAN DIEGO, CA 92101	 DePratti Inc.	SD0925 LOMAS SANTA FE 481 LOMAS SANTA FE DRIVE SOLANA BEACH, CA 92075	<b>DCI PACIFIC</b> AIEIC WORKS <small>COMMERCIAL ENGINEERING &amp; CONSTRUCTION          11000 WILSON AVENUE, SUITE 100          WILSON, CA 94095</small>	SCALE: 1/4" = 1'-0" DATE: 11/11/03		SHEET NO. 2 TOTAL SHEETS 11	
				ELEVATION		<b>A03</b>	

















## WIRELESS PLANNING MEMORANDUM

**TO:** Corey Andrews  
**FROM:** Michael D. Johnston  
**REVIEWERS:** Dr. Jonathan L. Kramer, Robert C. May  
**DATE:** May 4, 2017

**RE:** 17-17-15: Technical Review for New Building Mounted  
Wireless Facility

**Applicant:** AT&T Mobility  
**Site Address:** 201 Lomas Santa Fe Drive  
**Site ID:** Lomas Santa Fe

The City of Solana Beach (the "**City**") requested a review of the AT&T Mobility ("**AT&T**") proposal to construct and operate a new wireless site mounted on the building at 201 Lomas Santa Fe Drive. This memorandum addresses the following questions: (1) whether Section 6409(a) applies to AT&T's proposal; (2) whether AT&T's proposal complies with the Solana Beach Municipal Code and City Council Policy No. 21; (3) whether potential alternatives exist that deserve additional consideration; and (4) whether AT&T's proposal demonstrates planned compliance with the federal radio frequency exposure guidelines.

This memorandum reviews the application and related materials for technical and regulatory issues specific to wireless infrastructure. Although many technical issues implicate legal issues, the analysis and recommendations contained in this memorandum do not constitute legal advice.

### 1. Project Description

AT&T proposes to construct a new wireless facility on an office building located in the Office Professional ("**OP**") zone. This project is a relocation from an existing site that is being decommissioned due an expired lease with the current property owner. AT&T's project plans dated March 20, 2017 (the "**Plans**") and submitted with this application show that the facility would be concealed behind fiber-reinforced plastic ("**FRP**") screens painted and textured to match the underlying building. AT&T would install twelve panel antennas evenly distributed in four sectors center-mounted at 53.5' above ground level ("**AGL**").

Behind the antennas, AT&T proposes to install eight remote radio units ("**RRUs**") in each sector for a total of 32 RRUs, six DC power surge protectors ("**Raycaps**") and two GPS

antennas. The Plans depict that all the antennas and associated equipment will be fully concealed behind the FRP screens, which would measure 8' by 10' 9" and would protrude from the existing building by 1' 6".

At ground level adjacent to the building entrance stairs, AT&T proposes to remove a portion of an existing 5.5' tall retaining wall, remove some of the existing landscaping and an existing diseased tree in order to install a new 8' tall concrete masonry unit ("CMU") wall. AT&T would construct new stairs, a new landing and plant new landscaping to replace the diseased tree. Within the CMU wall enclosure, AT&T proposes to install four stack-mounted radio equipment cabinets, one power cabinet, one battery cabinet, and telephone and electric utility panels all on a concrete slab foundation. The CMU wall enclosure would be painted to match the existing surrounding and fully enclosed on top with a new steel grate lid.

In accordance with discussions between the City and AT&T that occurred during a November 2016 pre-application meeting for this project, AT&T also proposes to improve the sidewalk, road and landscaping along the eastern property line at Granados Avenue.

## 2. Section 6409(a) Analysis

As a threshold matter, the City must determine whether federal law mandates approval for this permit application. Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 requires that State and local governments "may not deny, and shall approve" any "eligible facilities request" for a wireless site collocation or modification so long as it does not cause a "substant[ial] change in [that site's] physical dimensions."<sup>1</sup> FCC regulations interpret key terms in this statute and impose certain substantive and procedural limitations on local review.<sup>2</sup> Localities must review applications submitted for approval pursuant to Section 6409(a), but the applicant bears the burden to show it qualifies for mandatory approval.

Section 6409(a)(2) defines an "eligible facilities request" as a request to collocate, remove or replace transmission equipment on an existing wireless tower or base station.<sup>3</sup> This definition necessarily excludes permit requests for new facilities. Thus, no matter how large or small, Section 6409(a) does not mandate approval for a permit to construct an entirely new wireless facility.

Here, AT&T did not submit an eligible facilities request because rather than collocate on an existing facility, AT&T proposes to construct a new wireless facility where none currently exists. Accordingly, Section 6409(a) does not require that the City approve AT&T's application. Rather, the City should review AT&T's proposal for compliance with

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<sup>1</sup> See Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, 126 Stat. 156. (Feb. 22, 2012) (codified as 47 U.S.C. § 1455(a)).

<sup>2</sup> See *In the Matter of Acceleration of Broadband Deployment by Improving Wireless Facilities Siting Policies, Report and Order*, 29 FCC Rcd. 12864 (Oct. 17, 2014) (codified as 47 C.F.R. §§ 1.40001, *et seq.*).

<sup>3</sup> See 47 U.S.C. § 1455(a)(2).

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the local values expressed in the Solana Beach Municipal Code ("**SBMC**") and City Council Policy No. 21 ("**Council Policy No. 21**") subject to certain federal limitations in Section 704 of the Telecommunications Act of 1996 (the "**Telecom Act**").

### **3. Compliance with Solana Beach Municipal Code and City Council Policy No. 21**

The City requires a conditional use permit for all wireless facilities, which must comply with Council Policy No. 21.<sup>4</sup> Council Policy No. 21 provides general location and design guidelines for new wireless facilities as discussed below.

#### **3.1. Proposed Location**

Council Policy No. 21 establishes hierarchical preferences for site locations as follows in order of preference and in relevant part: (1) collocations in non-residential zones; (2) industrial zones; (3) commercial zones; (4) other non-residential zones except open space.<sup>5</sup> Wireless facilities should be located in areas that are least visible to the public and least disruptive to the underlying property.<sup>6</sup> If the proposed location is visible to a residential area, the facility must be architecturally integrated with the surrounding site.<sup>7</sup> Here, AT&T proposes to construct the site in the fourth-most preferred location category. Even though Council Policy No. 21 does not expressly account for the OP zone, the catch-all in the fourth preference includes the proposed location because the OP zone is a non-residential and non-open space zone.

However, other potential locations around the proposed site rank higher under Council Policy No. 21 and the City may wish to consider the following locations as potential alternative locations that are more-preferred:

- 210 Lomas Santa Fe Dr. (Light Commercial)
- 124 Lomas Santa Fe Dr. (Special Commercial)
- 100/125 Lomas Santa Fe Dr. (Special Commercial)

In addition, to the extent that nearby wireless facilities already exist, the City may also wish to request that AT&T provide a list of sites that provide potential collocation opportunities.

To determine whether these more preferred locations are potentially available and technically feasible, the City may wish to request that AT&T provide a meaningful comparative analysis for each location that addresses (1) what general site parameters AT&T believes it would need to achieve reasonably similar service improvement as compared to the proposed location, (2) whether and under what general circumstances

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<sup>4</sup> See SOLANA BEACH MUN. CODE §17.60.120.G(1)

<sup>5</sup> See Council Policy No. 21 § A.1.

<sup>6</sup> See *id.* § A.3.

<sup>7</sup> See *id.*

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AT&T could obtain access to these locations and (3) any other information AT&T believes would assist the City to compare the proposed location against the potential alternatives.

### 3.2. Proposed Design

Council Policy No. 21 requires that all wireless facilities must exhibit stealth design techniques that conceal the equipment and visually blend with support structure and natural or manmade environment. Applicants should place equipment within existing buildings, and new shelters or enclosures should mimic existing architecture and landscaping. Roof mounted antennas should not be placed on roof peaks.<sup>8</sup>

Here, the proposed design generally conforms to most design guidelines in Council Policy No. 21, but the City may wish to consider some modifications to promote compliance with the guidelines. The following list outlines some issues and potential solutions for the City to consider:

- **Antenna Equipment and Architectural Screening**

AT&T would install the transmission equipment behind FRP screens that generally integrate with the existing architecture. However, AT&T's photo simulations depict a minor inconsistency between the proposed architectural screening and the underlying building. Rather than maintain the white paint along the level of the building with the "Wedbush" sign, AT&T would paint the entire screening grey.

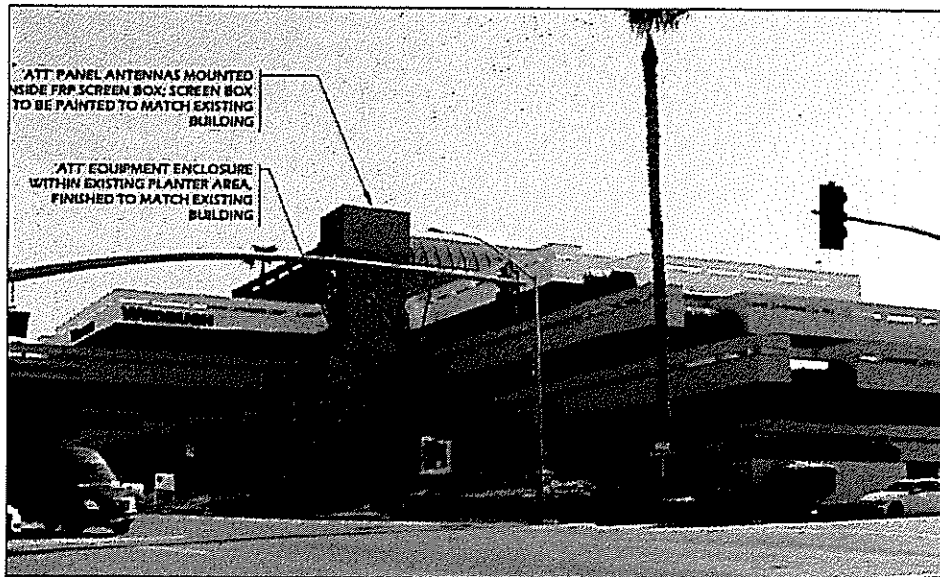


Figure 1: AT&T's Photo Simulations (Source: DCI Pacific AEC Works)

<sup>8</sup> See *id.* § B.6.b.

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Accordingly, the City may wish to consider the following conditions of approval in the event that the City approves AT&T's application in concept:

1. The permittee shall, and at all times maintain in good condition, architectural screening that is painted and textured to match the colors and textures of the underlying support structure.
2. The permittee acknowledges and agrees that the scale and proportionality of the architectural screening used to conceal and integrate the permittee's wireless facility with the underlying support structure constitutes concealment elements that are a material consideration upon which the City bases its decision to approve the permittee's facility.

- **Equipment Enclosure Concealment**

Council Policy No. 21 requires all enclosures to be located within existing buildings to the extent feasible.<sup>9</sup> To the extent the equipment must be located outside, the enclosure must mimic the existing manmade and natural features at the subject property.<sup>10</sup>

Here, AT&T proposes to install a new equipment enclosure outside the building. Accordingly, the City may wish to request that AT&T address whether locating the equipment within the existing building would be feasible. To the extent that an interior equipment room is not available for AT&T's use, the Plans indicate that the equipment enclosure will match the existing architecture and building finishes as required by Council Policy No. 21.

- **GPS Antennas**

AT&T indicates that it would install two GPS antennas on title sheet T01 of the Plans, but does not sheet A02 only shows one GPS antenna. The City may wish to request that AT&T resolve this discrepancy in the Plans and consider the following condition of approval to ensure that such equipment is fully concealed from public view:

3. The permittee shall install, and at times maintain in good condition, all equipment, including without limitation antennas, remote radio units, power surge suppressors, GPS antennas, equipment cabinets, power cabinets, battery cabinets and utility panels, fully concealed from public view within FRP screening or the CMU wall enclosure, as applicable.

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<sup>9</sup> See *id.* § B.2.

<sup>10</sup> See *id.*

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#### 4. Planned Compliance with RF Exposure Regulations

Under the Telecom Act, the FCC completely occupies the field with respect to RF emissions regulation. The FCC established comprehensive rules for human exposure to RF emissions (the "FCC Guidelines").<sup>11</sup> State and local governments cannot regulate wireless facilities based on environmental effects from RF emissions to the extent that the emissions comply with the FCC Guidelines.<sup>12</sup>

Although localities cannot establish their own standards for RF exposure, local officials may require wireless applicants to demonstrate compliance with the FCC Guidelines.<sup>13</sup> Such demonstrations usually involve a predictive calculation because the site has not yet been built.

##### 4.1. FCC Guidelines, Categorical Exclusions and Exposure Mitigation Measures

FCC Guidelines regulate *exposure* rather than *emissions*.<sup>14</sup> Although the FCC establishes a maximum permissible exposure ("MPE") limit, it does not mandate any specific limitations on power levels applicable to all antennas and requires the antenna operator to adopt exposure-mitigation measures only to the extent that certain persons might become exposed to the emissions. Thus, a relatively low-powered site in proximity to the general population might require more comprehensive mitigation measures than a relatively high-powered site in a remote location accessible only to trained personnel.

The MPE limit also differentiates between "general population" and "occupational" people. Most people fall into the general population class, which includes anyone who either does not know about potential exposure or knows about the exposure but cannot exert control over the transmitters.<sup>15</sup> The narrower occupational class includes persons exposed through their employment and able to exert control over their exposure.<sup>16</sup> The MPE limit for the general population is five times lower than the MPE limit for the occupational class.

Lastly, the FCC "categorically excludes" certain antennas from routine environmental review when either (1) the antennas create exposures in areas virtually inaccessible to

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<sup>11</sup> See 47 U.S.C. § 332(c)(7)(B)(iv); see also 47 C.F.R. § 1.1307 *et seq.*; FCC Office of Engineering and Technology, *Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields*, OET Bulletin 65, ed. 97-01 (1997).

<sup>12</sup> See 47 U.S.C. § 332(c)(7)(B)(iv).

<sup>13</sup> See *In re Procedures for Reviewing Requests for Relief from State and Local Regulations Pursuant to Section 332(c)(7)(B)(iv) of the Communications Act of 1934*, *Report and Order*, 15 FCC Rcd. 22821, 22828–22829 (Nov. 13, 2000) (declining to adopt rules that limit local authority to require compliance demonstrations).

<sup>14</sup> See *generally* Human Exposure to Radio Frequency Fields: Guidelines for Cellular and PCS Sites, *Consumer Guide*, FCC (Oct. 22, 2014), available at <https://www.fcc.gov/guides/human-exposure-rf-fields-guidelines-cellular-and-pcs-sites> (discussing in general terms how wireless sites transmit and how the FCC regulates the emissions).

<sup>15</sup> See 47 C.F.R. § 1.1310, Note 2.

<sup>16</sup> See *id.*

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humans or (2) the antennas operate at extreme low power. As a general rule, a wireless site qualified for a categorical exclusion when mounted on a structure built solely or primarily to support FCC-licensed or authorized equipment (*i.e.*, a tower) and such that the lowest point on the lowest transmitter is more than 10 meters (32.8 feet) above ground.<sup>17</sup>

Categorical exclusions establish a presumption that the emissions from the antennas will not significantly impact humans or the human environment. Such antennas are exempt from routine compliance evaluations but not exempt from actual compliance. Under some circumstances, such as a heavily collocated tower or when in close proximity to general population members, even a categorically excluded site will require additional analysis.

#### 4.2. Planned Compliance Evaluation and Recommendations

The FCC Guidelines do not categorically exclude AT&T's proposal because AT&T proposes to mount the antennas on an office building that was constructed for commercial use rather than to support wireless antennas. Accordingly, an independent RF compliance evaluation would be appropriate.

Here, AT&T submitted a *Radio Frequency Safety Survey Report Prediction* prepared by Waterford Consultants, LLC dated March 30, 2017 (the "**Waterford Report**"). Based on a computer-simulated analysis, the Waterford Report finds that the RF exposure from the AT&T antennas will exceed the maximum limit for the general population in some areas on the rooftop, but that AT&T can demonstrate planned compliance through appropriate mitigation measures.

The Waterford Report contains the basic RF emissions data needed to independently evaluate planned compliance. Based on the power output levels and operating frequencies for sectors A, C and D, AT&T's transmitters would create a controlled access zone that extends approximately 34' horizontally from the face of the antennas, at approximately 53' AGL, with few stray emissions in any other direction. Based on the power output levels and operating frequencies for sector B, AT&T's transmitters would create a controlled access zone that extends approximately 50.3'.

A controlled access zone does not mean that the facility will not comply with the FCC Guidelines. In this case, the controlled access zones would extend into generally accessible areas in all sectors under fairly limited circumstances. For instance, maintenance workers and painting crews that access the rooftop to service mechanical equipment and/or paint the building exterior could potentially be unknowingly overexposed to RF emissions because the antennas are fully concealed from view, and in Sector A, the controlled zone extends across an accessible rooftop area.

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<sup>17</sup> See *id.* § 1.1307(b)(1).



Accordingly, AT&T must take affirmative steps to post notice near, and in some cases restrict access to, the adjacent areas on the rooftop or building where the exposure exceeds the FCC's limits. Consistent with the Waterford Report, the City should require AT&T to erect a barrier and place signage on a portion of the upper level rooftop, as depicted below in Figure 3. However, in contrast to the recommendation in the Waterford Report, the City should require a larger restricted access area to encompass the entire controlled access zone. Figure 2 depicts the controlled access zone in the Waterford Report. Figure 3 depicts the boundaries of the controlled access zone as calculated by this firm based on a worst-case scenario.

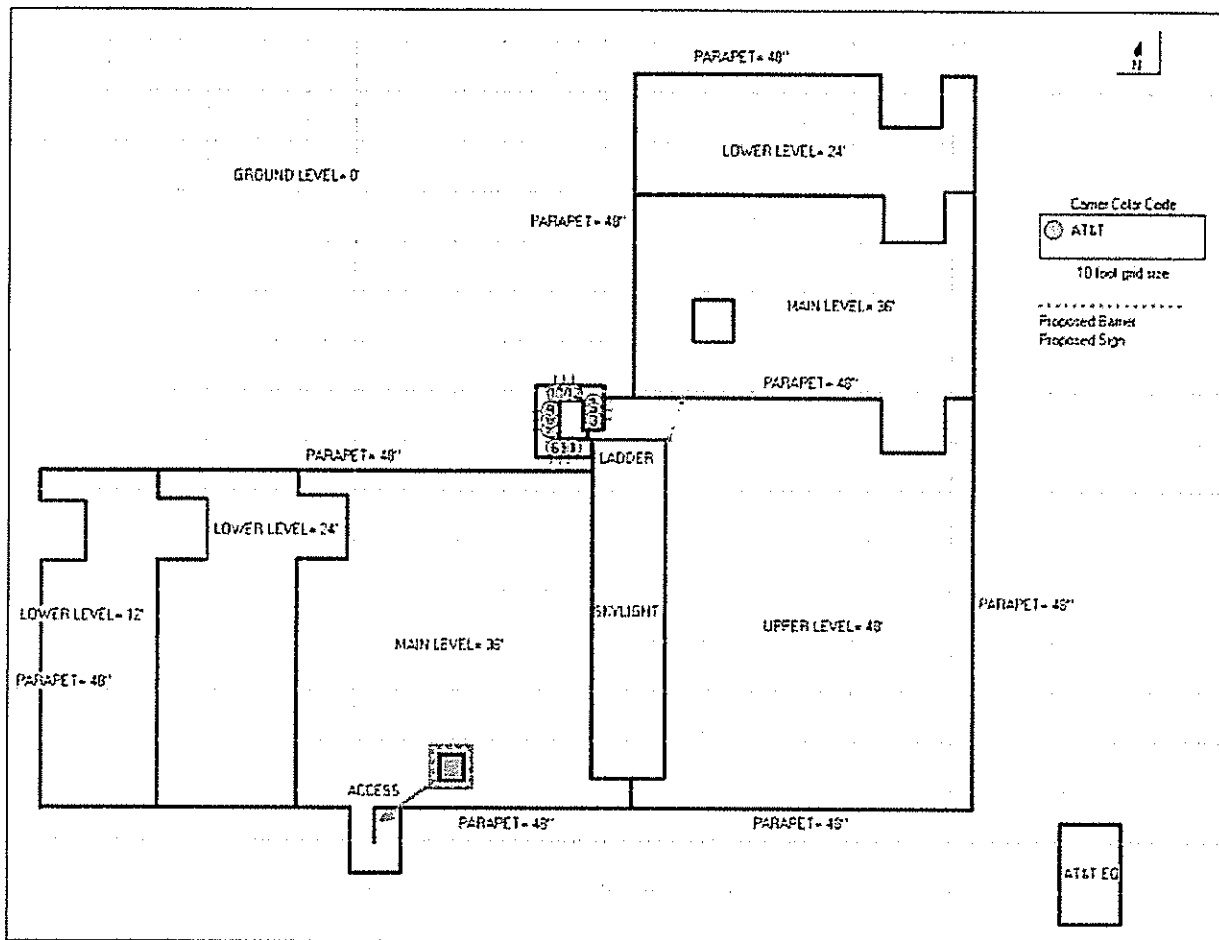


Figure 2: Proposed restricted access zone depicted in dotted orange line (Source: Waterford Report).

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Figure 3: Restricted access zone, depicted in solid red line (Source: Google maps, annotated by M. Johnston).

In the event that the City approves AT&T's application in its current form and to promote compliance with the FCC Guidelines, the City may wish to consider the following conditions of approval related to routine access restrictions and signage protocols as potential mitigation measures:

1. The permittee shall keep all access points to the rooftop locked at all times except when active maintenance is performed on the rooftop.

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2. The permittee shall install, and at all times maintain in good condition, an "RF Information" sign at all rooftop access point(s). Permittee shall install the signs required under this condition so that a person may clearly see and understand the sign before he or she accesses the rooftop.
3. The permittee shall install, and at all times maintain in good condition, a polyurethane chain link barrier approximately 34 feet from the face of the antennas in sector A that extends from the north parapet wall to the sky light. The permittee shall also install, and at all times maintain in good condition, an "RF Caution" sign on the chain link barrier in front of sector A. The permittee shall install the sign required under this condition so that a person may clearly see and understand the sign as he or she approaches the control access zone for sector A.
4. The permittee shall install and at all times maintain in good condition, an "RF Caution" sign adjacent to the access ladder between sector A and sector B. The permittee shall install the sign required under this condition so that a person may clearly see and understand the sign as he or she approaches the access ladder.
5. The permittee shall ensure that all signage complies with FCC OET Bulletin 65 or ANSI C95.2 for color, symbol, and content conventions. All such signage shall at all times provide a working local or toll-free telephone number to its network operations center, and such telephone number shall be able to reach a live person who can exert transmitter power-down control over this site as required by the FCC.

## 5. Conclusion

AT&T's application materials do not contain all the information needed to determine whether the proposed location for AT&T's new wireless facility most closely complies with the City's preferences under Council Policy No. 21. Accordingly, the City should consider requesting that AT&T submit addition information that evaluates locations in the three more preferred locations as described in Section 3.1 of this memorandum.

In the event that no more preferred location that is potentially available and technically feasible exists, the City may wish to consider approving AT&T's proposed facility subject to the recommended conditions of approval in Section 3.2 of this memorandum.

In the event that the City approves AT&T's application in the same antenna configuration as proposed, the facility can demonstrate planned compliance with the FCC Guidelines related to RF exposure subject to the recommended conditions of approval in Section 4.2 of this memorandum.

MJ/jlk/rm

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Telecom Law Firm PC



## WIRELESS PLANNING MEMORANDUM

**TO:** Corey Andrews  
**FROM:** Robert C. May III  
**DATE:** August 30, 2017

**RE:** 17-17-15: Technical Review of Conditional Use Permit and  
Structure Development Permit Application

**Applicant:** AT&T Mobility  
**Site Address:** 201 Lomas Santa Fe Drive, Solana Beach, California 92075  
**Site ID:** SD0925

The City of Solana Beach (the "**City**") requested that Telecom Law Firm, PC review the AT&T Mobility ("**AT&T**") application to relocate an existing wireless site to a new location at 201 Lomas Santa Fe Drive. This memorandum reviews the application and related materials for technical and regulatory issues specific to wireless infrastructure. Although many technical issues may implicate legal and/or regulatory issues, the analysis and recommendations contained in this memorandum do not constitute legal advice.

### 1. PROJECT BACKGROUND AND DESCRIPTION

This firm issued a memorandum dated May 4, 2017 (the "**May Memorandum**") to the City that evaluated AT&T's current proposal to relocate an existing wireless facility to a commercial office building located at 201 Lomas Santa Fe Drive (the "**Proposed Location**").<sup>1</sup> The May Memorandum concluded that AT&T should investigate whether three potential alternatives in more-preferred locations would be technically feasible or potentially available.

On or around July 30, 2017, AT&T provided an alternative sites analysis dated May 2017 (the "**May 2017 Alternatives Analysis**"). The City subsequently requested an independent evaluation from this firm.

### 2. TECHNICAL FEASIBILITY OF POTENTIAL ALTERNATIVE SITES

The May 2017 Alternatives Analysis evaluates four possible alternatives: (1) no relocated site at all; (2) a new site located at 210 Lomas Santa Fe Drive; (3) a new site located at 124 Lomas Santa Fe Drive; and (4) a new site located at 100 Lomas Santa Fe Drive. In light of the propagation map that AT&T provided to show predicted service levels at the

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<sup>1</sup> See Memorandum from Michael D. Johnston, Telecom Law Firm, PC, to Corey Andrews, Principal Planner, Solana Beach, Cal. (May 4, 2017).

Proposed Location as shown in **Figure 1**, the following discussion evaluates AT&T's supplemental alternative sites analysis and offers additional recommendations.

As a threshold matter, the City should note that the signal propagation maps provided by AT&T contains subjective characterizations rather than objective service levels. This practice limits the City's ability to meaningfully compare various alternatives because the City cannot determine whether AT&T's opinion about whether particular services are "good" or "bad" meet generally accepted benchmarks. These propagation maps are generally less reliable for the same reason.

For the present purposes only, the evaluation and analysis in this memorandum will assume that the various characterizations roughly translate to generally accepted benchmarks ("good" = -75 dBm; "fair" = -85 dBm; and "bad" = -95 dBm). However, to the extent that the City and AT&T disagree about the technical feasibility for any particular alternative, the City may wish to consider requiring AT&T to perform an empirical drive test that would definitely show actual differences in service levels from one or more alternative sites as compared to the Proposed Location.

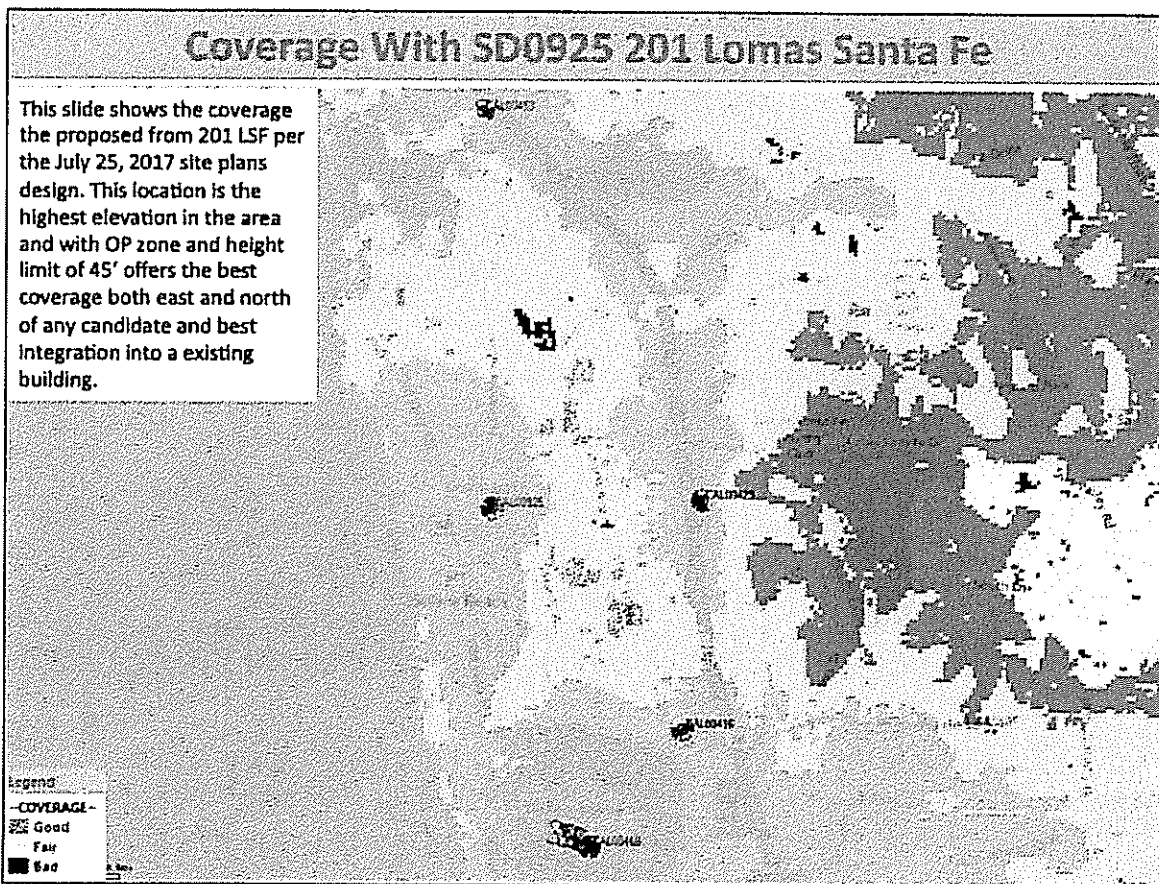


Figure 1: (Source: AT&T.)



## 2.1. AT&T Alternative 1: No Relocated Site

AT&T provided a propagation map in **Figure 2** to show the predicted service levels if the City denied any relocation site. According to this propagation map, AT&T believes it would be limited to “bad” coverage in the areas along Highway 101 between San Elijo Lagoon to the north, Dahlia Drive to the south, the Pacific Ocean to the west and the ridgeline along Nardo Avenue below Lomas Santa Fe and Mar Vista above Lomas Santa Fe.

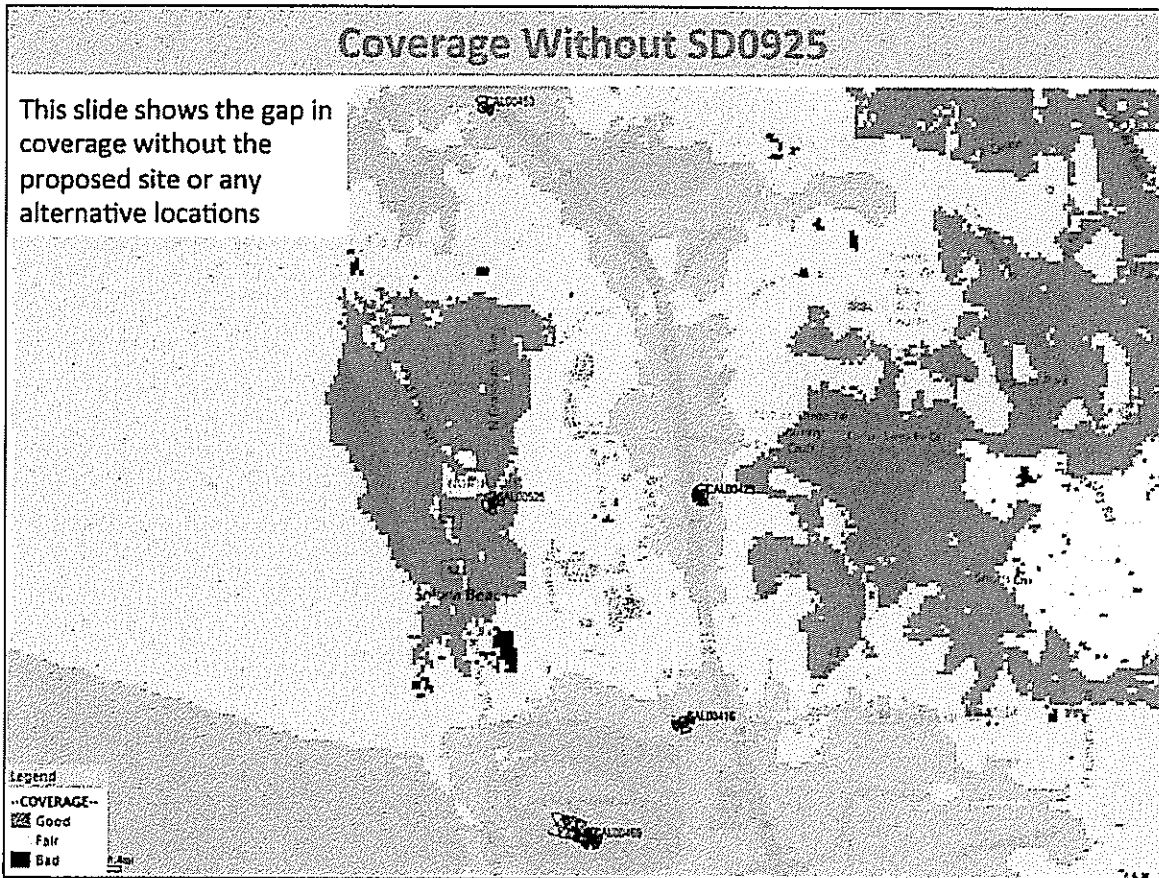


Figure 2: (Source: AT&T.)

Whether the City accepts the propagation maps as valid or not, there seems to be little doubt that AT&T would experience a gap in its coverage if it decommissioned one site and did not replace it with another. Accordingly, the City should not consider this to be a technically feasible option.

## 2.2. AT&T Alternative 2: 210 Lomas Santa Fe Drive

AT&T notes that this location is approximately 10 feet lower in elevation and subject to 35-foot zone height limit, which would result in an antenna centerline approximately 20



feet lower than the Proposed Location. AT&T also comments that the existing commercial structure at this location is a single-story building with fewer concealment opportunities.

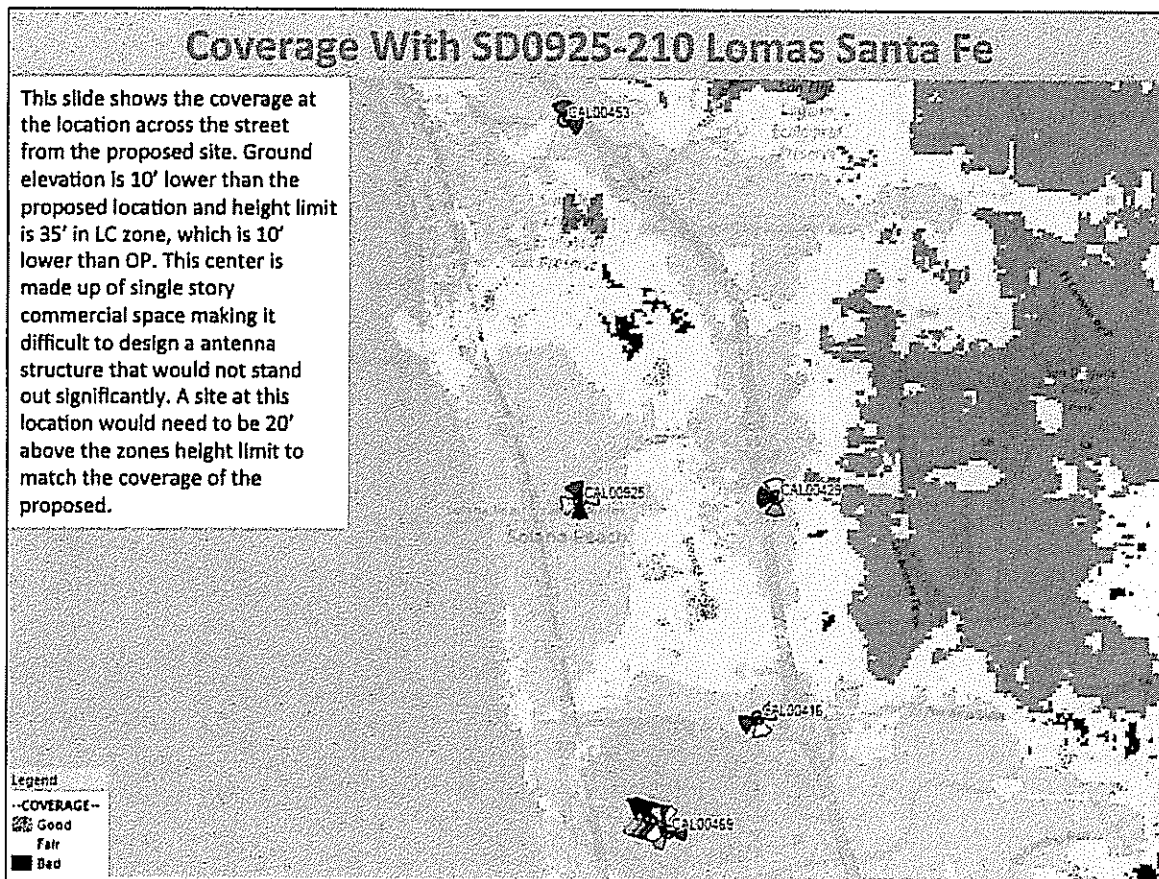


Figure 3: (Source: AT&T.)

This alternative appears to be technically feasible as a single-site replacement. A comparison between the coverage achievable from this location and the coverage achievable from the Proposed Location shows little meaningful difference. Both sites would provide comparable "good" and "fair" coverage to roughly the same areas. Although a site at this alternative location would potentially be less optimal insofar as the "bad" coverage areas to the north would be slightly larger, those areas are generally open space or within the San Elijo Lagoon where users would typically be outdoors with fewer physical obstructions to attenuate the signal.

Moreover, the propagation map in Figure 3 appears to show that the comparable coverage could be achieved without the additional 20-foot extension mentioned in AT&T's Alternatives Analysis. To be sure, the single-story, flat-roofed commercial building would present some concealment challenges. Possible designs might include, for example, a contiguous raised parapet around the entire rooftop or a freestanding architectural feature. However, even if the City ultimately prefers the design at the Proposed Location



over what could be built at 210 Lomas Santa Fe Drive, this alternative would still be potentially viable.

Accordingly, the City should consider a site at 210 Lomas Santa Fe as a possible alternative and should request that AT&T provide additional analysis into possible designs for this location.

### 2.3. AT&T Alternative 3: 124 Lomas Santa Fe Drive

AT&T notes that this location is approximately 30 feet lower in elevation and subject to 25-foot zone height limit, which would result in an antenna centerline approximately 50 feet lower than the Proposed Location. AT&T concludes that a site at this location would create a need for a second site to cover the area along Lomas Santa Fe between the freeway and Nardo Avenue.

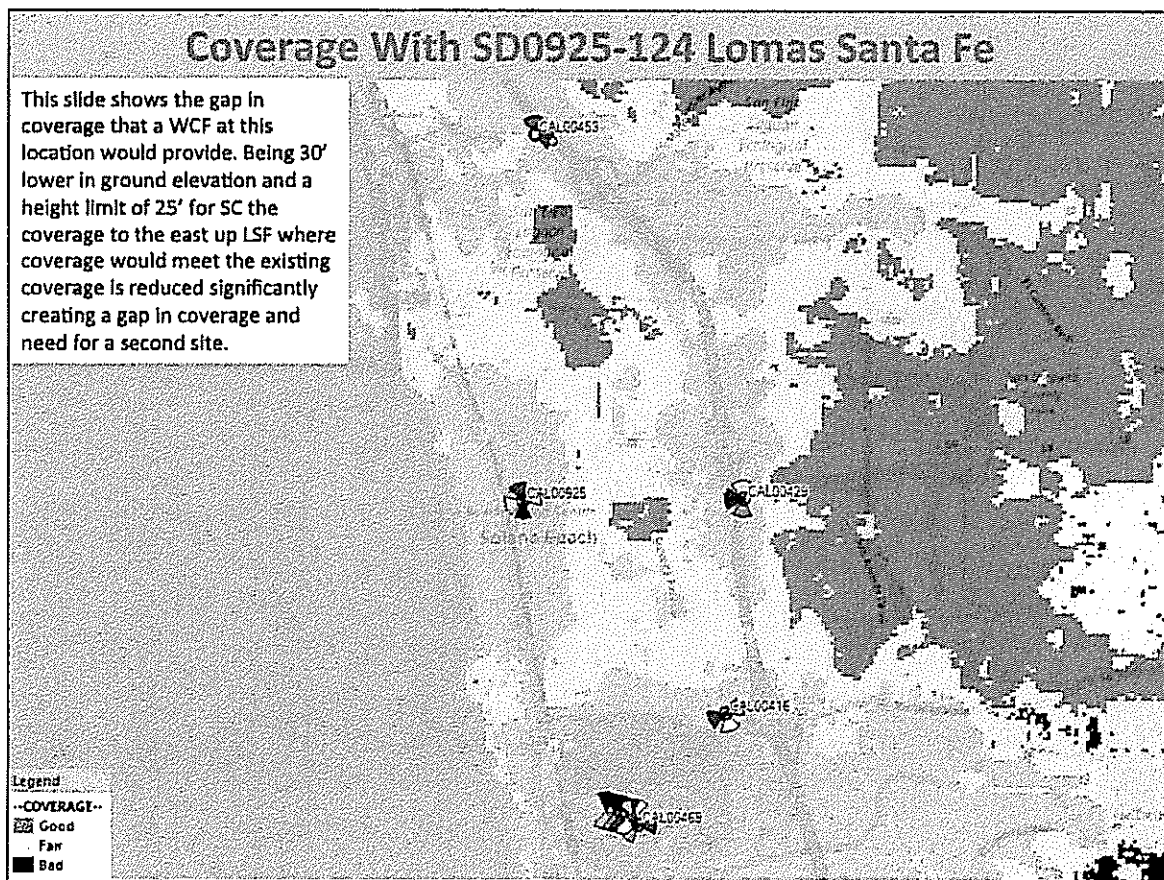


Figure 4: (Source: AT&T.)

Unlike the alternative at 210 Lomas Santa Fe Drive, this alternative appears to create the need for an additional site to provide supplemental coverage to the areas between Nardo Avenue and the freeway. Even if the propagation maps were disqualified as not reliable,

the 50-foot difference between antenna centerlines possible at this alternative and at the Proposed Location would have a significant impact on signal propagation.

Nevertheless, the City may wish to consider a multi-site solution with another site in a preferred zone. Some possible locations for the second site might be either (1) the Light Industrial parcels along Stevens Avenue West; (2) the Commercial parcels along San Rodolfo Drive; or (3) Solana Beach Presbyterian Church at 120 Stevens Avenue.

Accordingly, the City should consider a site at 124 Lomas Santa Fe as a possible alternative in a multi-site solution. If the City would consider a multi-site deployment, it should request that AT&T provide additional analysis into possible designs for the three locations listed above and any other possible alternatives.

#### **2.4. AT&T Alternative 4: 100 Lomas Santa Fe Drive**

AT&T notes that this location is approximately 40 feet lower in elevation and subject to 25-foot zone height limit, which would result in an antenna centerline approximately 60 feet lower than the Proposed Location. AT&T concludes that a site at this location would either need to be 60 feet above the zone height limit to achieve the same coverage as the Proposed Location, or create a need for a second site to cover the area along Lomas Santa Fe between the freeway and Nardo Avenue.

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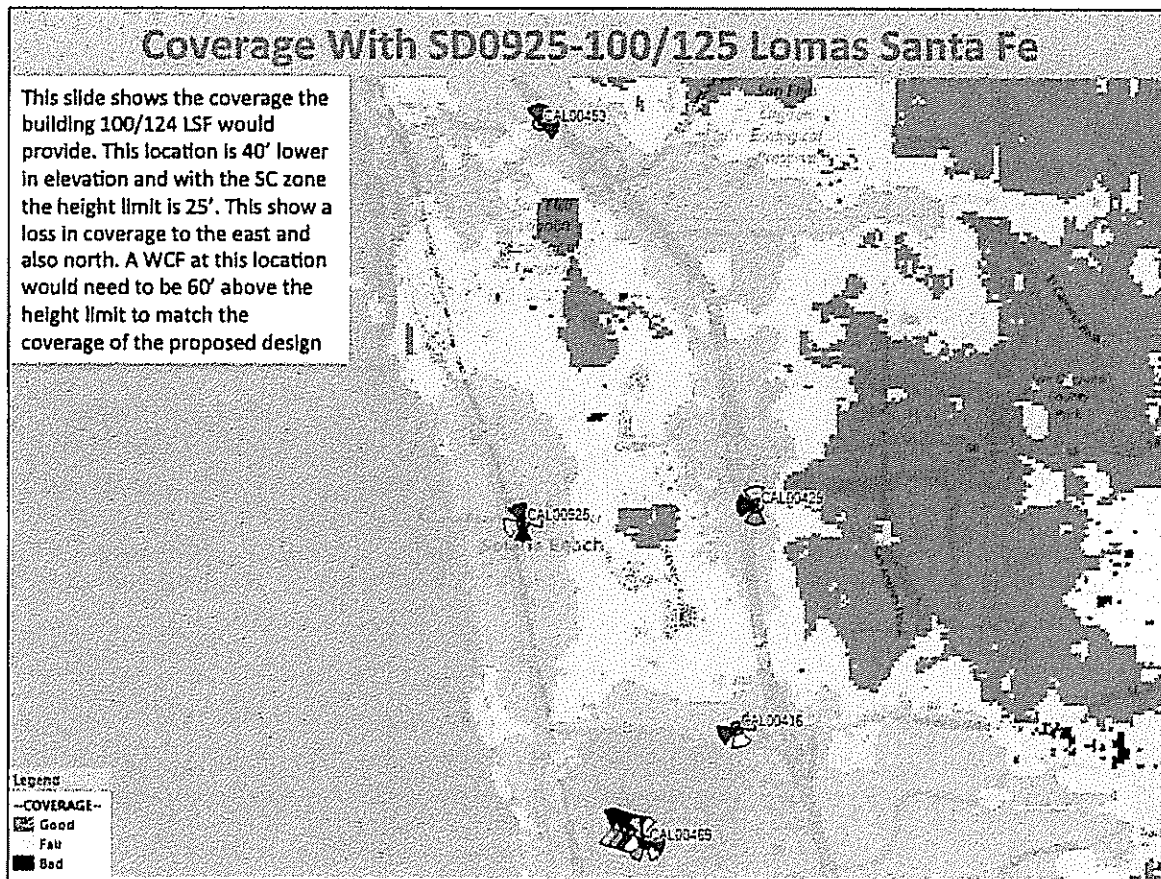


Figure 5: (Source: AT&T.)

Like the alternative at 124 Lomas Santa Fe Drive, this alternative does appear to create the need for an additional site to provide supplemental coverage to the areas between Nardo Avenue and the freeway. In addition, the propagation maps appear to show additional coverage degradation in the residential areas above Lomas Santa Fe Drive that was not present from an alternative at 124 Lomas Santa Fe Drive.

Although the City may wish to consider possible alternatives at those same locations around Stevens Avenue West or San Rodolfo Drive described in Section 2.3 of this memorandum, the more logical location to reach the northern areas would be the Solana Beach Presbyterian Church (120 Stevens Avenue). This alternative would provide AT&T with higher elevations and additional opportunities for concealment because of the variations in the architecture of the structures on the property.

Accordingly, the City should consider a site at 100 Lomas Santa Fe as a possible alternative in a multi-site solution. If the City would consider a multi-site deployment, it should request that AT&T provide additional analysis into possible designs for the Solana Beach Presbyterian Church and any other possible alternatives.

### 3. DESIGN ANALYSIS AND RECOMMENDATIONS

Based on the analysis above, it appears that the City may have at least two options for single-site solutions (the Proposed Location and 210 Lomas Santa Fe Drive) and potentially many options for a multi-site solution. Information available at this time suggests that all options may have some less-than-desirable trade-offs between location and possible concealment designs. Accordingly, this section evaluates the pros and cons among various alternatives to assist the City strike an appropriate balance that it finds most consistent with its local values expressed in the General Plan, the Solana Beach Municipal Code (“SBMC”) and Council Policy No. 21.

Facilities must be compliant with the applicable zone development rules, and the applicable height limit for structures on this parcel is 45 feet.<sup>2</sup> Rooftop appurtenances in the OP zone must be screened from view from adjacent properties, public streets and on-site parking areas.<sup>3</sup> More specifically, wireless facilities must be screened from view with “stealth” techniques, such as false architectural elements, and rooftop sites should not be placed on rooftop peaks.<sup>4</sup> Ancillary wireless equipment must be located indoors to the extent feasible, or screened with walls, plants or other materials when such equipment must be placed outdoors.<sup>5</sup> The use must not produce any negative external effects, such as noise, odors, particulate matter, glare or electrical emissions that interfere with other lawfully operated equipment or instruments.<sup>6</sup>

#### 3.1. City Single Site Alternative 1: 210 Lomas Santa Fe Drive

Based on the information provided by AT&T, an alternative site located at 210 Lomas Santa Fe Drive appears to be technically feasible as single-site solution. Although the existing structure may not be as well-suited for concealment as the Proposed Location, the City could require AT&T to vet possible designs for both roof-mounted and freestanding facilities before this alternative is ruled out on aesthetic grounds.

Rooftop facilities might include a parapet wall extension with antennas distributed around the perimeter or a mechanical penthouse to house the antennas in a centralized location. The parapet wall extension would likely result in a cleaner design that maintains a consistent roofline, but would need to be approximately eight feet tall to conceal the antennas and would also add significant bulk to the building. A mechanical penthouse would obstruct a smaller area and add less overall bulk, but may seem out of place on this low, flat rooftop.

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<sup>2</sup> See Council Policy No. 21 § B.4; SOLANA BEACH, CAL. MUN. CODE § 17.24.030(D).

<sup>3</sup> See SOLANA BEACH, CAL. MUN. CODE § 17.24.030(E)(2).

<sup>4</sup> See Council Policy No. 21 §§ B.1 and B.6.b.

<sup>5</sup> See *id.* § B.2.

<sup>6</sup> See SOLANA BEACH, CAL. MUN. CODE § 17.24.030(F); see also Council Policy No. 21 § C.1 (requiring compliance with generally applicable noise standards).





The most likely freestanding design that would blend with the existing environment would be a monument such as a clock tower or commercial sign. Although these approaches would leave the existing structure as-is and completely conceal all the proposed equipment, both types of structures may draw attention to themselves because they would be the tallest structures in the vicinity.

**Recommendation:** The City may wish to require that AT&T provide the City with conceptual-level drawings or renderings to give the City a sense about potential designs that can be compared to proposed design at the Proposed Location.

### 3.2. City Single Site Alternative 2: the Proposed Location

The City may also wish to consider the Proposed Location, either as currently proposed or with alternative concealment.

#### *Location Considerations*

The City could potentially find that the Proposed Location is equally preferable to the identified alternative locations. Whereas Council Policy No. 21 does not expressly rank its preference for facilities in OP zones, the OP zone could be fairly construed as a commercial zone given that permitted uses here include commercial uses and many similar passive operations are deemed either "permitted uses" or "conditionally permitted uses" under the SBMC.<sup>7</sup>

Moreover, while AT&T's proposal does not qualify as either a "minor utility project" or a "major utility project" under the SBMC,<sup>8</sup> major utility projects such as power plants and natural gas storage facilities would be considered a conditionally permitted use in this zone.<sup>9</sup> It is unlikely that an unmanned commercial wireless facility would have a greater adverse impact on community aesthetics or traffic circulation than a power plant or natural gas storage facility, and the City may find that a wireless facility in an OP zone would be comparably preferable to a wireless facility in a commercial zone.

#### *Interactions between Overall Height and Concealment*

Due to the underlying structure's design and layout, there is a tradeoff between overall height and concealment. The most concealed design violates the zone height limit but the designs at lower overall heights would be closer and more visible to residential properties.

The overall height of AT&T's proposed facility would be approximately 64 feet above the lowest finished grade, which is the same overall height as the existing skylight on the

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<sup>7</sup> See generally SOLANA BEACH, CAL. MUN. CODE § 17.12.020-A.

<sup>8</sup> See *id.* § 17.12.030, Appendix A (defining these terms).

<sup>9</sup> Compare *id.* § 17.12.020-A(27) (defining major public utility installations as a conditionally permitted use in the OP zone).



rooftop.<sup>10</sup> To reduce the overall height approximately 19 feet for compliance with the zone height limit would lower the antennas below the roofline. AT&T would then be required to split the sectors and mount the antennas in sectors A and B on the east-facing and south-facing facades.

AT&T's current single elevator-penthouse extension design appears more preferable to the lower height alternative because such an alternative would move the antennas in sectors A and B closer to residential uses and facade-mounted antennas would be less concealed. Whereas the antennas in the proposed design would be approximately 166 feet from the nearest residential use (122 South Rios Avenue), facade-mounted antennas in sector A would be approximately 116 feet from residences at 140 South Granados Avenue and facade-mounted antennas in sector B would be approximately 90 feet from residences at 122 South Rios Avenue.

Facade-mounted antennas would also be more visible than the proposed penthouse design as they would likely require pop-out screen boxes to screen them from view. These screen boxes hide the antennas from view but create odd protrusions from the wall, which are generally less "stealth" than a mechanical penthouse that might otherwise appear as an ordinary architectural feature.<sup>11</sup> Moreover, pop-out boxes on the facade would potentially protrude more than 18 inches from the wall to allow sufficient space for the antennas, mounting equipment, RRUs, surge suppressors and the screening and framing material.<sup>12</sup> The comparison in **Figure 6** illustrates the difference in design.

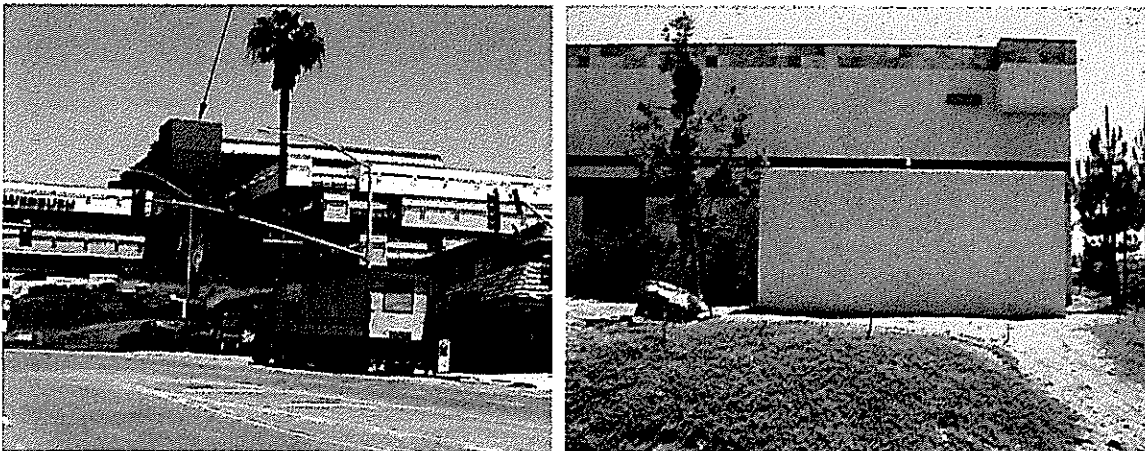


Figure 6: Comparison between proposed mechanical penthouse design and "pop-out box" concealment for facade-mounted antennas. (Source: AT&T and Jonathan L. Kramer.)

In this case, strict compliance with the City's zone height limit would likely result in a design that is more visible and more intrusive than if the City permitted AT&T's proposed

<sup>10</sup> This estimate is based on the Topographic Survey included with AT&T's plans, which calls out the lowest finished grade as approximately 89 feet above MSL and the proposed antenna enclosure as approximately 153 feet above MSL (*i.e.*,  $153 - 89 = 64$ ).

<sup>11</sup> See Council Policy No. 21 § B.1 (requiring stealth designs such as false architectural elements).

<sup>12</sup> See *id.* § B.6.a (prohibiting protrusions that exceed 18 inches from the wall).



design. Overall height excluded, AT&T's current design would generally comply with the SBMC and Council Policy No. 21 because the equipment would be fully screened, architecturally integrated and would not produce any noise, emissions or other nuisance-type external effects.

### 3.3. City Multi-Site Alternative 1: 124 Lomas Santa Fe Drive

The potential alternative at 124 Lomas Santa Fe Drive may require that the City permit an additional site in order for AT&T to meet its technical service objectives. Whether the City prefers this alternative would depend on the extent to which the combination of a wireless facility located at 124 Lomas Santa Fe Drive and another facility located to the east would comply with the SBMC and Council Policy No. 21.

**Recommendation:** To the extent that the City would consider a multi-site solution with one site at 124 Lomas Santa Fe Drive, it should require AT&T to evaluate and submit design proposals at this location. In addition, the City should request that AT&T evaluate the following potential alternative sites for technical feasibility and potential availability:

- Light Industrial (LI) Parcels Along Stevens Avenue West (including without limitation):
  - Solana Beach Storage (545 Stevens Avenue)
  - Public Storage (477 Stevens Avenue)
  - Price Self Storage (533 Stevens Avenue West)
  - Smart Self Storage of Solana Beach (537 Stevens Avenue West)
- Commercial (C) Parcels Along San Rodolfo Drive and Solana Hills Drive (including without limitation)
  - Solana Beach Town Centre (663-689 Lomas Santa Fe Drive)
  - First Citizens Bank (706 Lomas Santa Fe Drive)
  - Citibank (740 Lomas Santa Fe Drive)
- The Solana Beach Presbyterian Church (120 Stevens Avenue)

A multi-site solution involving these locations would use more-preferred locations, but would undermine the City's general policy to reduce cumulative impacts from multiple sites through careful site selection. Moreover, we cannot reach any conclusion at this time as to whether the potential concealment design would be more or less preferable relative to single-site locations.

### 3.4. City Multi-Site Alternative 2: 100 Lomas Santa Fe Drive

As discussed in Section 2.4 of this memorandum, the potential alternative at 100 Lomas Santa Fe Drive may also require that the City permit an additional site in order for AT&T to meet its technical service objectives. Whether the City prefers this alternative would depend on the extent to which the combination of a wireless facility located at 100 Lomas



Santa Fe Drive and another facility located at 120 Stevens Avenue would comply with the SBMC and Council Policy No. 21.

**Recommendation:** To the extent that the City would consider a multi-site solution with one site at 100 Lomas Santa Fe Drive, it should require AT&T to evaluate and submit design proposals at this location. In addition, the City should request that AT&T evaluate the Solana Beach Presbyterian Church at 120 Stevens Avenue for technical feasibility and potential availability.

This potential alternative comes with the same tradeoffs as a multi-site solution with 124 Lomas Santa Fe. These locations would use more-preferred locations, but would undermine the City's general policy to reduce cumulative impacts from multiple sites through careful site selection. Although the Solana Beach Presbyterian Church seems promising from a concealment standpoint, we cannot reach any conclusion at this time as to whether the potential concealment design would be more or less preferable relative to single-site locations.

## 5. CONCLUSION

Based on the May 2017 Alternatives Analysis, there appears to be at least one more potentially viable single-site solution (210 Lomas Santa Fe Drive) and also various other multi-site solutions along Lomas Santa Fe Drive, Stevens Avenue and the commercial areas near Rodolfo Drive. Although the record does not currently contain sufficient information to meaningfully compare these various alternatives, it appears that fidelity to one preference compromises another. The City will need to weigh the tradeoffs between strict compliance with Council Policy No. 21 and potentially better concealment opportunities at lesser-preferred locations or taller structures.

The City will need additional analysis and information from AT&T to meaningfully compare the various tradeoffs among viable alternatives. Accordingly, the City should require AT&T to produce the additional information identified in this memorandum. AT&T's responses should be directly comparable to the materials provided in support of the Proposed Location. While it would not be appropriate at this time to require full zoning drawings for each alternative, any sketches or simulations should be sufficiently detailed to allow the City to comprehend the size, scale and visual impact of any alternatives.

RM



## WIRELESS PLANNING MEMORANDUM

**TO:** Corey Andrews  
**FROM:** Robert C. May  
**REVIEWER:** Jonathan L. Kramer  
**DATE:** October 18, 2017

**RE:** 17-17-15

**Applicant:** AT&T Mobility  
**Site Address:** 201 Lomas Santa Fe Drive, Solana Beach, California 92075  
**Site ID:** SD0925

The City of Solana Beach (the "**City**") requested a review for AT&T Mobility ("**AT&T**") to install a new building-mounted wireless site located at 201 Lomas Santa Fe Drive. This memorandum reviews the application and related materials for technical and regulatory issues specific to wireless infrastructure. Although many technical issues implicate legal issues, the analysis and recommendations contained in this memorandum do not constitute legal advice.

### 1. Project Background and Description

On May 4, 2017, this firm issued a memorandum to the City (the "**May Memo**") that recommended additional alternative sites analysis because it appeared that other, more-preferred alternatives would be technically feasible and potentially available. On or around July 30, 2017, AT&T responded with additional analysis (the "**May Alternatives Analysis**") that evaluated the currently proposed site location at 201 Lomas Santa Fe Drive, a scenario in which AT&T did not replace the decommissioned site ("**Alternative No. 1**") and three others located at 210 Lomas Santa Fe Drive ("**Alternative No. 2**"), 124 Lomas Santa Fe Drive ("**Alternative No. 3**") and 100 Lomas Santa Fe Drive ("**Alternative No. 4**").

On August 30, 2017, this firm issued a memorandum to the City (the "**August Memo**") that evaluated the May Alternatives Analysis and concluded that (1) Alternative No. 1 would not be technically feasible because it would result in a gap in AT&T's service; (2) Alternative No. 2 appeared technically feasible as a single-site alternative but recommended additional information about the site design due to potential concealment concerns; (3) Alternative Nos. 3 and 4 would most likely require a second site elsewhere

in the City to achieve reasonably comparable service coverage. The August Memo also included several suggested locations for a potential multi-site solution to be implemented if the City preferred Alternative Nos. 3 or 4 to the currently proposed site.

On September 21, 2017, AT&T responded to the August Memo (the "**September Alternatives Analysis**"). In the September Alternatives Analysis, AT&T (1) provided details to the potential design and concealment elements for Alternative No. 2; (2) ruled-out multi-site solutions proposed in the August Memo based on design concerns; and (3) ruled-out other alternative site locations based on their proximity to an existing AT&T site. While the September Alternatives Analysis responds to some of the design and viewshed concerns related to Alternative No. 2, it fails to provide adequate information to allow this firm or the City to fully evaluate AT&T's claim that a multi-site solution would not be feasible using the alternative sites proposed in the August Memo.

## **2. Alternative Sites Analysis**

### **2.1. Alternative No. 2 (210 Lomas Santa Fe Drive)**

Alternative No. 2 would be technically feasible as a stand-alone site or multi-site solution. However, the underlying building presents practical challenges for effective concealment.

AT&T evaluated a parapet wall extension at this location and points out that this configuration would result in a more dramatic change to the building envelope as compared to the single-enclosure in its current proposal. Specifically, AT&T would have to install a parapet wall extension approximately eight feet tall around the entire perimeter of the rooftop to conceal a potential site completely. That addition would significantly displace the viewshed to the west of the property because the parapet extension would block the existing view of the beach shoreline from the east. The September Alternatives Analysis also included photo simulations to illustrate the visual impact that would result from a split-sector design, which is reproduced in Figure 1.



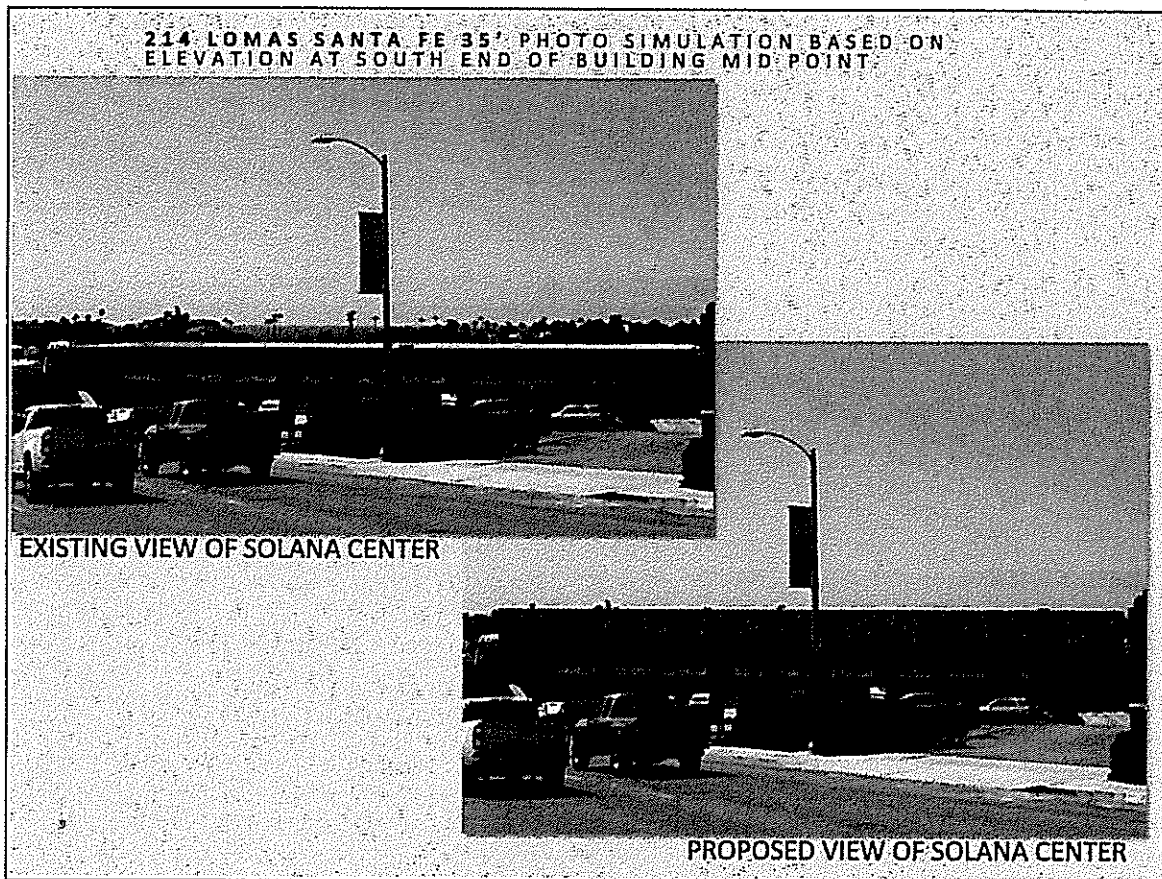


Figure 1: Photo simulation to show possible parapet extension to screen antennas. (Source: AT&T.)

We tend to agree with AT&T on this point. Although the parapet wall depicted in the simulation could be designed and finished to blend with the underlying building, the extension at this location would displace more viewshed than the design proposed at 201 Lomas Santa Fe. Given the City's preference for building-mounted facilities over freestanding towers, additional efforts to investigate other designs may not be fruitful. Moreover, a stand-alone site at this location would create a similar viewshed displacement issue because it would place a tall visual obstruction on the property where no obstruction currently exists. Accordingly, the proposed location would appear to have less of a negative visual impact than a technically feasible design at this location.

## 2.2. Alternative No. 3 (124 Lomas Santa Fe Drive)

AT&T did not consider Alternative No. 3 because it would require a second site to complete its coverage objectives, and because the building at 210 Lomas Santa Fe would block the signal propagation to the east. AT&T relies on the coverage maps submitted to the City as evidence of this alternative's inability to achieve the desired coverage objectives. This is not an adequate response to rule-out this location as a potential candidate for a multi-site solution because the coverage maps show AT&T could achieve



the desired coverage objective to the west at this location. Although this location could present viewshed issues similar to those discussed for Alternative No. 2, AT&T did not provide enough information to evaluate what type of design, and potential visual impact, would occur here.

As discussed in Sections 2.4 and 2.5 to this memorandum, there appear to be several potential locations for a second site that could achieve AT&T's coverage objectives when combined with a site at this location. The September Alternative Analysis includes a conclusory statement that this location has "low building height and limited architectural features" for a feasible design. However, AT&T did not provide a factual analysis that addresses the possibility of a feasible multi-site design that involves this location. Accordingly, the City should find that AT&T has not provided a technical reason why a site at Alternative No. 3 would be infeasible even when combined with a second site to the east.

### **2.3. Alternative No. 4 (100 Lomas Santa Fe Drive)**

AT&T did not consider Alternative No. 4 because it would require a second site to complete its coverage objectives. This is not an adequate response to rule-out this location as a potential candidate for a multi-site solution because AT&T admittedly did not consider how it could achieve the coverage objectives coupling this location with a second-site location. Like Alternative No. 3, AT&T's coverage map for this location appears to show a site would achieve the coverage objective to the west but AT&T eliminated this option because the location has "low building height and limited architectural features." Again, AT&T did not provide factual evidence to show a site at this location would create viewshed displacement as AT&T showed for Alternative No. 2.

As discussed in Sections 2.4 and 2.5 to this memorandum, there appear to be several potential locations for a second site that could achieve AT&T's coverage objective when combined with a site at this location. Accordingly, the City should find that AT&T has not provided a technical reason why a site at Alternative No. 4 would be infeasible even when combined with a second site to the east.

### **2.4. Alternative No. 5 (Solana Beach Presbyterian Church)**

The Solana Beach Presbyterian Church appears to be technically feasible as a supplement to either Alternative Nos. 3 or 4. AT&T "[a] simulation of the best location to cover the apex of Lomas Santa Fe to the west is provided in the coverage map package." The coverage map mentioned in the quoted text above appears in Figure 2.





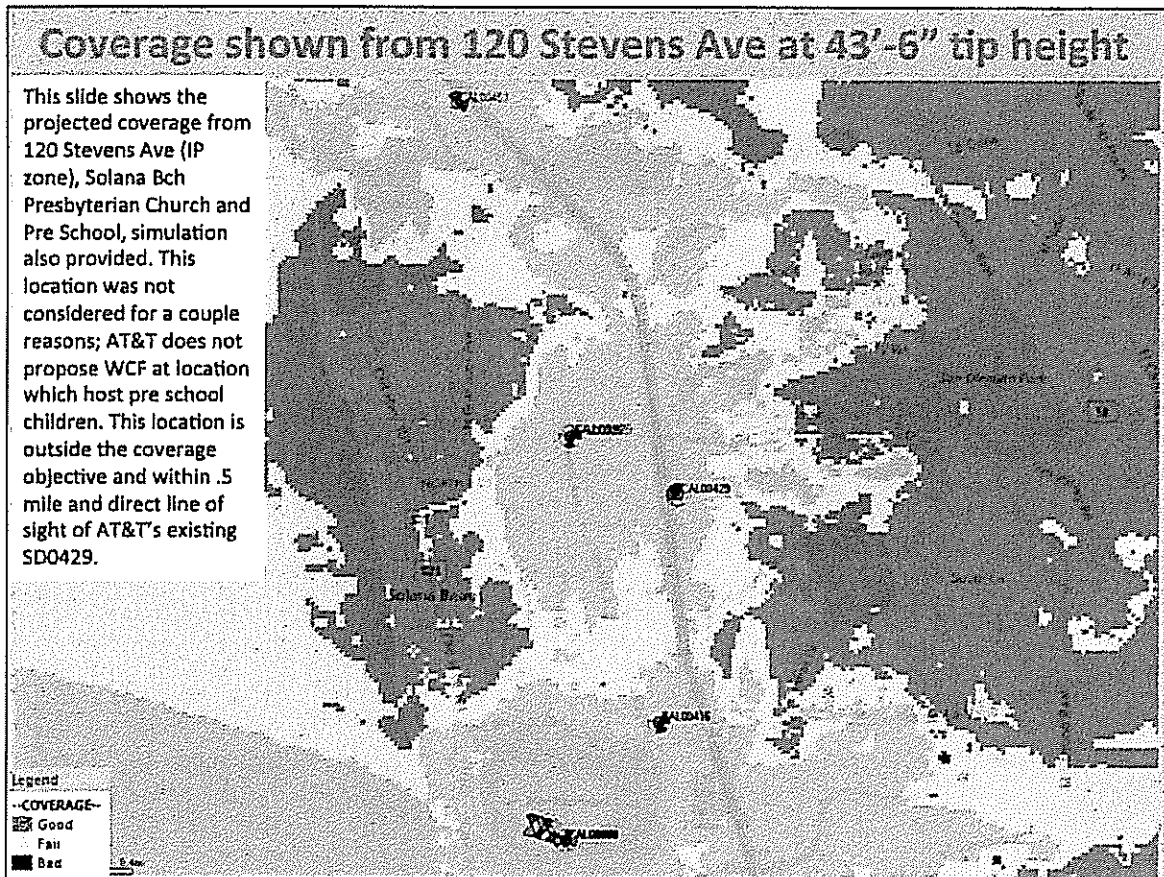


Figure 2: Coverage map to show predicted service from Solana Beach Presbyterian Church. (Source: AT&T.)

Upon review, a proposed site at the Solana Beach Presbyterian Church would not be technically feasible as a stand-alone site but may be a potentially feasible supplement to Alternative Nos. 3 or 4. A site at this location would not be technically feasible as a stand-alone site because it would not be able to achieve the coverage objective to the west. Although the site on its own cannot reach areas to the west, which are shaded due to the rise in elevation, it could be a technically feasible multi-site solution with Alternatives Nos. 3 or 4. Predicted service levels for a site at this location drop off fairly sharply west of South Nardo Avenue. However, a side-by-side comparison shows that the combined coverage would reach all areas in AT&T's search ring. Accordingly, the Solana Beach Presbyterian Church appears to be a technically feasible alternative under a multi-site solution.



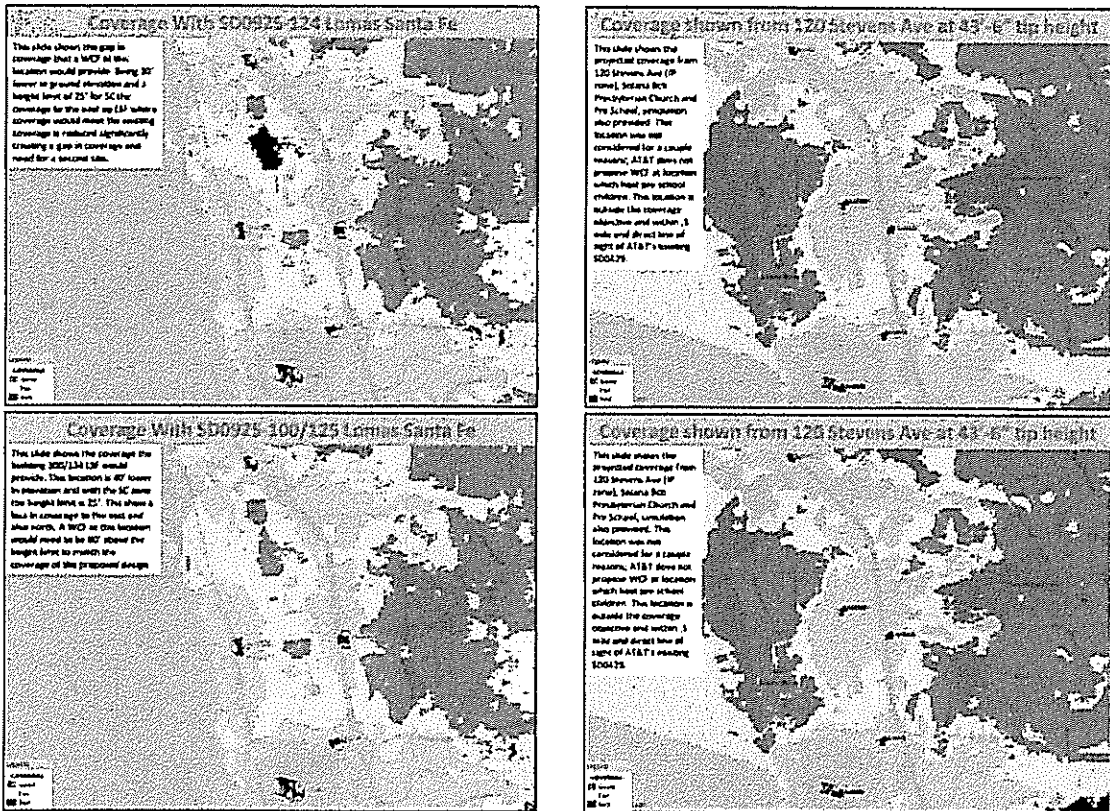


Figure 3: Side-by-side coverage maps to show predicted service with Alternative Nos. 3 and 4 and Solana Beach Presbyterian Church. (Source: AT&T.)

Although the Solana Beach Presbyterian Church may be technically feasible, it also presents some possible challenges. As AT&T points out, it initially ignored this location due to the general opposition it receives to proposed installations on churches with pre-school or daycare facilities.

There is no indication in the record as to whether the church would grant AT&T a lease. To fully vet this potential alternative, the City should require AT&T to investigate whether the church would be a willing landlord. If so, the City should consider this a potential location in a multi-site solution. If not, the City should consider this location ruled-out.

## 2.5. Alternative No. 6 (Multi-Site Deployment)

As mentioned above, AT&T states that it did not consider any multi-site deployment due to "low building height and limited architectural features at [Alternative Nos. 3 and 4] . . . ." However, the low overall height at these locations was the precise reason why we recommended that AT&T evaluate whether a second or third site in the more preferred zones along Stevens Avenue or Lomas Santa Fe might compensate for any deficit in coverage. Moreover, while the City may determine that limited architectural features at



Alternatives No. 3 and 4 render them less desirable than other alternatives, the applicant cannot base its own analysis on subjective aesthetics.<sup>1</sup>

AT&T also analyzed all seven locations along Stevens Avenue and Lomas Santa Fe and determined all seven would be technically infeasible as potential stand-alone sites. According to the September Alternatives Analysis, the potential sites in the light industrial zone along Stevens Avenue and the commercial zone along Lomas Santa Fe Drive would be outside the "coverage objective" and "too close" to another AT&T site located at 200 Marine View Avenue (Site No. SD0429) "less than 2000 feet" away.

Sites situated outside the "coverage objective" would not necessarily rule them out as potential supplemental sites to Alternative Nos. 3 or 4; however, their proximity to Site No. SD0429 might cause interference at the cell edge. To determine whether any sites within these more preferred zones would still be technically feasible as a supplemental site, the distances between Site No. SD0429 and each alternative have been measured. In addition, two other potential supplemental sites have been identified and included. The results appear in Table 1.

Alternative Site	Zone	Dist. to SD0429
<b>Alternatives from August Memo</b>		
545 Stevens Avenue	LI	~2,220 feet
537 Stevens Avenue	LI	~2,095 feet
533 Stevens Avenue	LI	~1,860 feet
477 Stevens Avenue	LI	~1,240 feet
740 Lomas Santa Fe	C	~1,670 feet
706 Lomas Santa Fe	C	~1,720 feet
663 Lomas Santa Fe	C	~1,800 feet
<b>Additional Alternatives Identified</b>		
685 San Rodolfo Dr.	C	~2,150 feet
380 Stevens Avenue	c	~2,015 feet

Table 1: Approximate distance from proposed alternative sites to AT&T existing site SD0429.

Based on the 2,000-foot separation requirement in AT&T's September Alternatives Analysis, the following locations appear to be technically feasible as supplemental sites to Alternatives Nos. 3 or 4: (1) 545 Stevens Avenue; (2) 537 Stevens Avenue; (3) 685 San Rodolfo Drive; and (4) 380 Stevens Avenue. Each is more than 2,000 feet from the existing Site No. SD0429. While none may be technically feasible as a stand-alone site, each appears technically feasible as a supplemental site in a multi-site solution. As such, the City should require AT&T to investigate each location listed Table 1 that is over 2,000 feet from Site No. SD0429 to determine if the location would be technically feasible as a multi-site solution and if the respective landowners for the technically feasible solutions would be willing landlords.

<sup>1</sup> See, e.g., *American Tower Corp. v. City of San Diego*, 763 F.3d 1035, 1057 (9th Cir. 2014).



### 3. Conclusion and Recommendations

The following summarizes the conclusions to be drawn from the September Alternatives Analysis, and recommended next steps the City may wish to take:

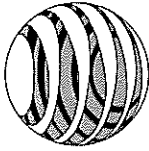
1. **Alternative No. 2 (210 Lomas Santa Fe Drive):** Alternative No. 2 remains potentially viable. This location would be technically feasible either as a stand-alone facility or in a multi-site solution. However, the record contains no information about whether the owner would lease space to AT&T, and the building design presents less desirable concealment options than are available at 201 Lomas Santa Fe Drive. The City should require AT&T to investigate other concealment options to decrease the potential viewshed displacement and the landowner's willingness to lease the necessary space for the site.
2. **Alternative No. 3 (124 Lomas Santa Fe Drive):** Alternative No. 3 remains potentially feasible. AT&T declined to evaluate this location in a multi-site solution and therefore has not identified a technical feasibility or potential availability reason why this alternative should be ruled-out. Additional evaluation should be performed by AT&T as requested by the City. Specifically, the City should require additional information about whether a multi-site solution is feasible and if the landowner would be interested in a lease.
3. **Alternative No. 4 (100 Lomas Santa Fe Drive):** Alternative No. 4 remains potentially feasible. AT&T declined to evaluate this location in a multi-site solution and therefore has not identified a technical feasibility or potential availability reason why this alternative should be ruled-out. Additional evaluation should be performed by AT&T as requested by the City. Specifically, the City should require additional information about whether a multi-site solution is feasible and if the landowner would be interested in a lease.
4. **Alternative No. 5 (Solana Beach Presbyterian Church):** Alternative No. 5 would not be technically feasible as a stand-alone site, but appears to be technically feasible in a multi-site solution with opportunities for concealment. However, the record contains no information about whether the owner would lease space to AT&T. The City should require additional information about whether the church would be interested in a lease.
5. **Alternative No. 6 (Multi-Site Solutions):** A multi-site solution remains potentially feasible. Although AT&T provided a valid technical reason to rule-out five potential locations identified in the August Memo, four potential sites appear technically feasible. The remaining sites are: 380 Stevens Avenue; 545 Stevens Avenue; 537 Stevens Avenue; and 685 San Rodolfo Drive. AT&T should perform additional evaluation as requested by the City. Specifically, the City should require additional information for each location about whether a multi-site solution is feasible and if the landowner would be interested in a lease.



For the alternatives discussed above, AT&T should provide any sketches, coverage maps or simulations with enough detail to allow the City to evaluate the technical feasibility, size, scale and visual impact of each location.

RM





Mobility - San Diego

ALTERNATIVE DESIGN

# SITE NUMBER: SD0925

# SITE NAME: LOMAS SANTA FE

APPROVAL	DATE	SIGNATURE
P.M. :		
C.M. :		
S.A.C. :		
R.F. :		
ZONING :		

### DRAWING INDEX (ZONING)

- 101 TITLE SHEET
- A01 SITE PLAN
- A02 ANTENNA LAYOUT PLAN
- A03 EQUIPMENT LAYOUT PLAN
- A04 ELEVATIONS
- A05 ELEVATION
- A06 EQUIPMENT CHU WALL ENCLOSURE ELEVATIONS
- A07 ANTENNA AND RRU CONFIGURATION AND SPECIFICATIONS
- A08 STORM DRAIN AND STEEL GRATE LG PLAN
- C01 STORY POLE FOOT PLAN
- B01 TOPOGRAPHIC SURVEY
- B02 TOPOGRAPHIC SURVEY

### REV. DIRECTIONS

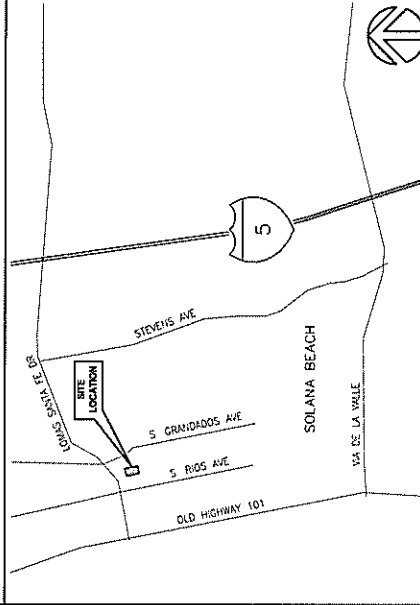
- 5 FROM AT&T SAN DIEGO OFFICE
- 5 7337 TRADE ST SAN DIEGO, CA 92121
- 5 1. DEPART TRADE ST TOWARD LOMAS SANTA FE
- 5 2. TURN LEFT ONTO CANINO SANTA FE
- 5 3. TURN RIGHT ONTO WINDWARD DR
- 5 4. TAKE RIGHT TURN AND FOLLOW SIGNS FOR L-505 NORTH
- 5 5. AT EXIT 33A, TAKE RAMP RIGHT AND FOLLOW SIGNS FOR LOCAL BYPASS
- 5 6. TAKE RAMP LEFT AND FOLLOW SIGNS FOR L-5 NORTH
- 5 7. AT EXIT 37, TAKE RAMP RIGHT AND FOLLOW SIGNS FOR LOMAS SANTA FE DR
- 5 8. AT LOMAS SANTA FE DR, TAKE RIGHT TURN
- 5 9. ARRIVE AT LOMAS SANTA FE DR

### DEVELOPMENT SUMMARY

**PROJECT SCOPE OF WORK:**  
 THIS PROJECT ENTAILS THE INSTALLATION OF:  
 1. (1) ONE (1) CHUBBERS FIBER (CF) CHU WALL ENCLOSURE WITH STEEL GRATING LG  
 2. (1) ONE (1) CHUBBERS FIBER (CF) CHU WALL ENCLOSURE WITH STEEL GRATING LG  
 3. (1) ONE (1) CHUBBERS FIBER (CF) CHU WALL ENCLOSURE WITH STEEL GRATING LG  
 4. (1) ONE (1) CHUBBERS FIBER (CF) CHU WALL ENCLOSURE WITH STEEL GRATING LG  
 5. (2) GPS ANTENNAS

NOTE: THE TOTAL LANDSCAPE SQ. FT. SHOULD BE BELOW 500 SQ. FT.

### VICINITY MAP



### PROPERTY INFORMATION:

OWNER:  
 OCEAN TERRACE LP  
 C/O CARLOS MALVARO  
 ADDRESS: 1105 BRYAN RD #200  
 WANA, FL 33132

ASSESSOR PARCEL NUMBER: 284-017-01-00  
 LOT AREA: 200 SQ. FT.

### EXISTING W/CFs ON SAME PROPERTY:

ENTER BELOW IS A LIST OF EXISTING W/CFs, PERMITS, APPROVALS, AND THE REQUIRED PERMITS/APPROVALS.  
 N/A IF LEFT BLANK.

### BUILDING CODE INFORMATION:

EXISTING BUILDING/STRUCTURE:  
 CONSTRUCTION TYPE: S-2  
 SPRINKLER SYSTEM: N/A  
 OCCUPANCY: N/A  
 PROPOSED STRUCTURE:  
 CONSTRUCTION TYPE: S-2  
 SPRINKLER SYSTEM: N/A

### PROJECT TEAM:

CONSTRUCTION: PJ PUTCHER  
 PHONE: (716) 562-7809  
 PROJECT: TR 1503 514-8591  
 PLANNING: TR 1503 514-8591  
 PHONE: (503) 514-8591  
 ADDRESS: 64 00, VA  
 ARCHITECT: PHONE: (909) 419-1000

### ZONING INFORMATION:

JURISDICTION: CITY OF SOLANA BEACH  
 ZONING DESIGNATION: R-1  
 EXISTING ZONING NO.: 11-03747  
 LOCAL ORDINANCE: 117-28873  
 TOP OF (E) STRUCTURE: ± FEET AGL  
 BASE OF (E) STRUCTURE: ± FEET (A.G.L.)

### DCI PACIFIC A/E/C WORKS

PROJECT NUMBER: SD0925  
 PROJECT NAME: LOMAS SANTA FE DRIVE  
 ADDRESS: 201 LOMAS SANTA FE DRIVE  
 SOLANA BEACH, CA 92075

### at&t Mobility - San Diego

### DePratti Inc.

### DCI PACIFIC A/E/C WORKS

### SD0925 LOMAS SANTA FE DRIVE

### 201 LOMAS SANTA FE DRIVE

### SOLANA BEACH, CA 92075

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### 201 LOMAS SANTA FE DRIVE

### SOLANA BEACH, CA 92075

### at&t Mobility - San Diego

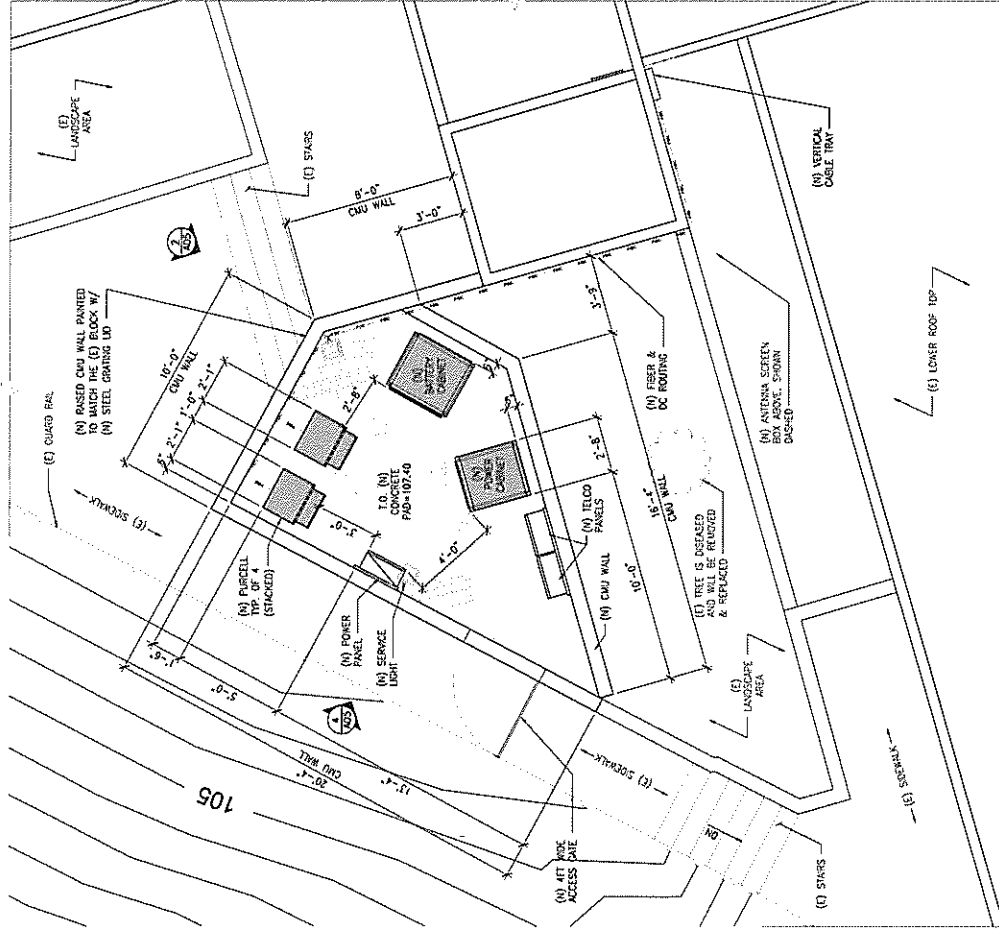
### DePratti Inc.

### DCI PACIFIC A/E/C WORKS



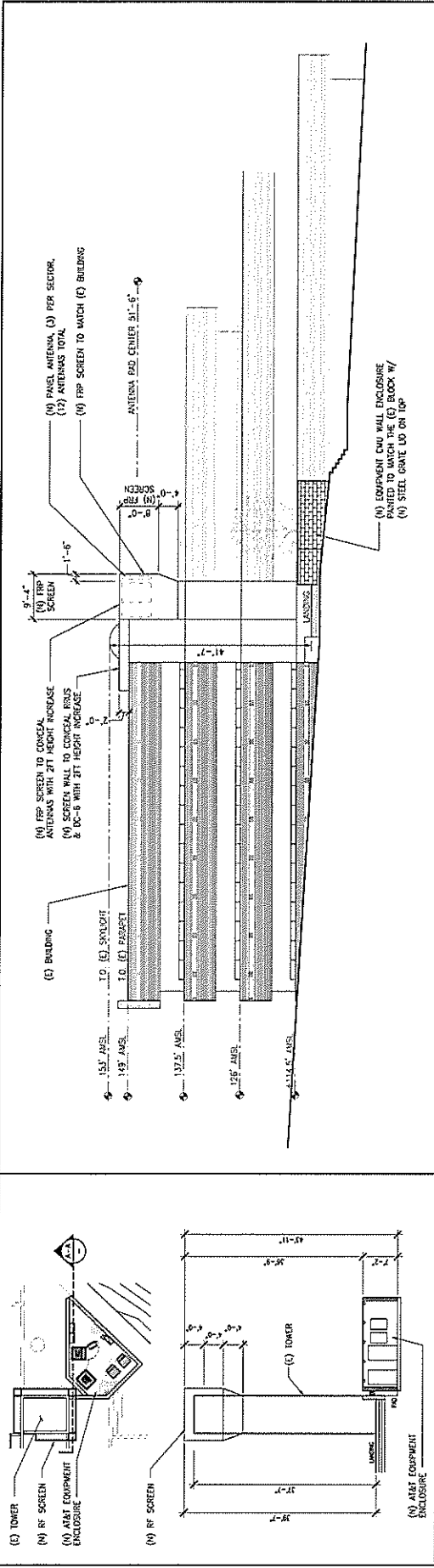




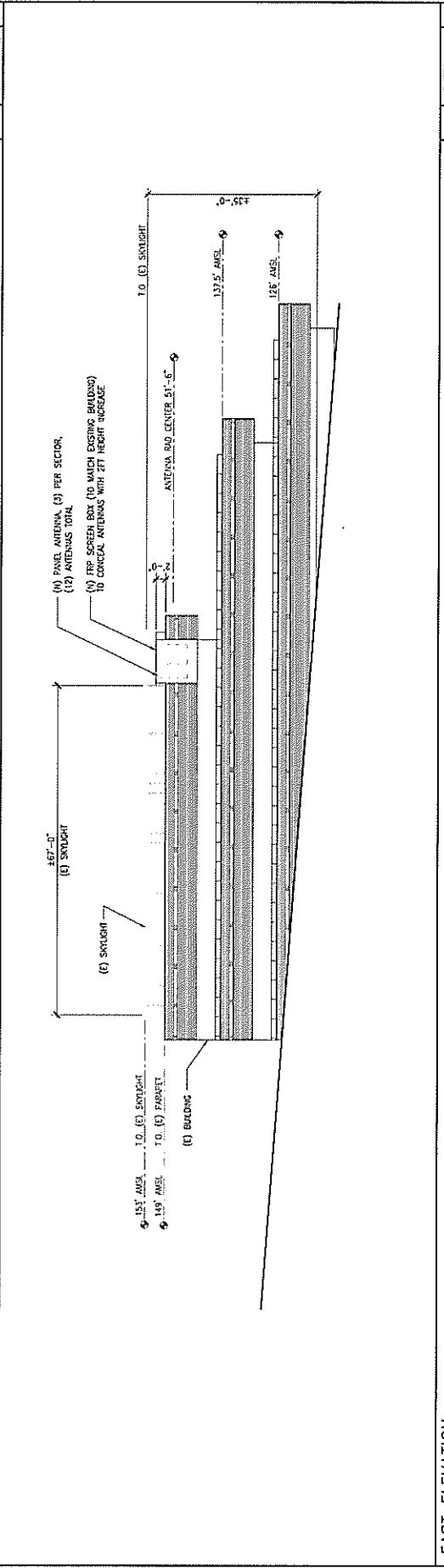


 230 YEARS STREET, 3 EAST ROOM 304 SAN JOSE, CA 95131-4322		 DePratti Inc.		SD0925 LOMAS SANTA FE 201 LOMAS SANTA FE DRIVE SOLANA BEACH, CA 92073		 DCI PACIFIC A/E/C WORKS AN AFFILIATE OF INTERNATIONAL BROTHERHOOD OF ELECTRICAL RAILWAY AND TELEPHONE ENGINEERS		SCALE: AS SHOWN ASSIGNED DRAWN BY: CDR MPT/CS CHECKED BY: CDR MPT/CS DATE: 11/27/16 REVISIONS: 1 NO. DATE REVISIONS 1 11/27/16 EQUIPMENT LAYOUT AREA REDUCTION 2 10/24/17 EQUIPMENT LAYOUT AREA REDUCTION 3 10/24/17 ISSUED FOR CITY COMMENTS & PERM REVIEW 4 10/24/17 ISSUED FOR CITY COMMENTS 5 10/24/17 TO AIRBORNE EPOCH		SHEET TITLE: EQUIPMENT LAYOUT PLAN SHEET NUMBER: A03 SCALE: 1" = 10'-0"
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ALTERNATIVE DESIGN



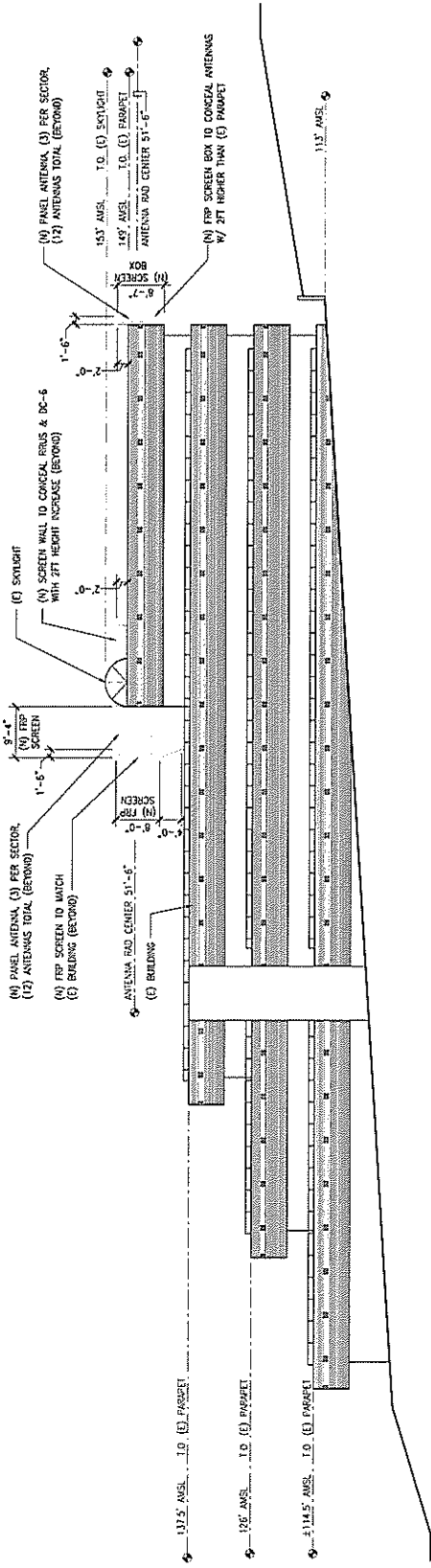
SECTION A-A 1 NORTH ELEVATION



SECTION A-A 2 EAST ELEVATION

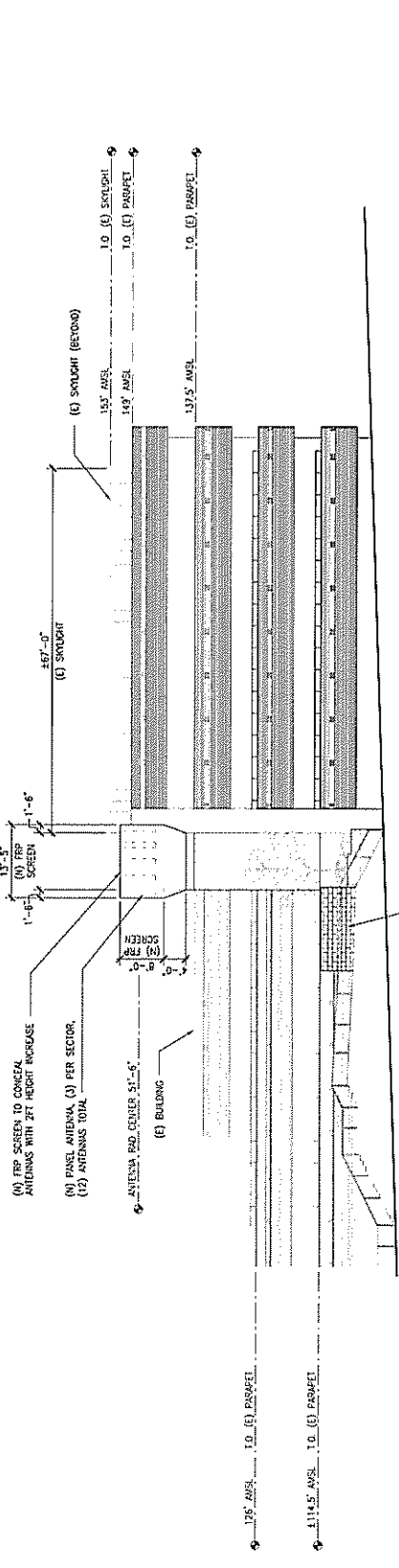
<p>at&amp;t Quality Services 731 THREE STREET, SUITE 200, RENO, NV 75400, CA 95711</p>		<p>DePratti Inc.</p>		<p>S00925 LOMAS SANTA FE 201 LOMAS SANTA FE DRIVE SOLANA BEACH, CA 92703</p>		<p>DCI PACIFIC AIEIC WORKS 4000 UNIVERSITY AVENUE, SUITE 100 IRVINE, CA 92618</p>		<p>ELEVATION A04</p>		<p>PAGE 001 SCALE: 1/8"=1'-0" SHEET NUMBER: 2</p>	
NO.	DATE	BY	CHKD	APP'D	REVISIONS	SCALE	AS SHOWN	ISSUED	DATE	BY	CHKD
1	11/27/16	WOPROSTATE	DKA	REVISIONS	9-27-16						
2	11/27/17	WOPROSTATE	DKA	REVISIONS	9-27-16						
3	11/27/17	WOPROSTATE	DKA	REVISIONS	9-27-16						
4	11/27/17	WOPROSTATE	DKA	REVISIONS	9-27-16						
5	11/27/17	WOPROSTATE	DKA	REVISIONS	9-27-16						

ALTERNATIVE DESIGN



SOUTH ELEVATION

SCALE	1/8" = 1'-0"
TYPE	1



WEST ELEVATION

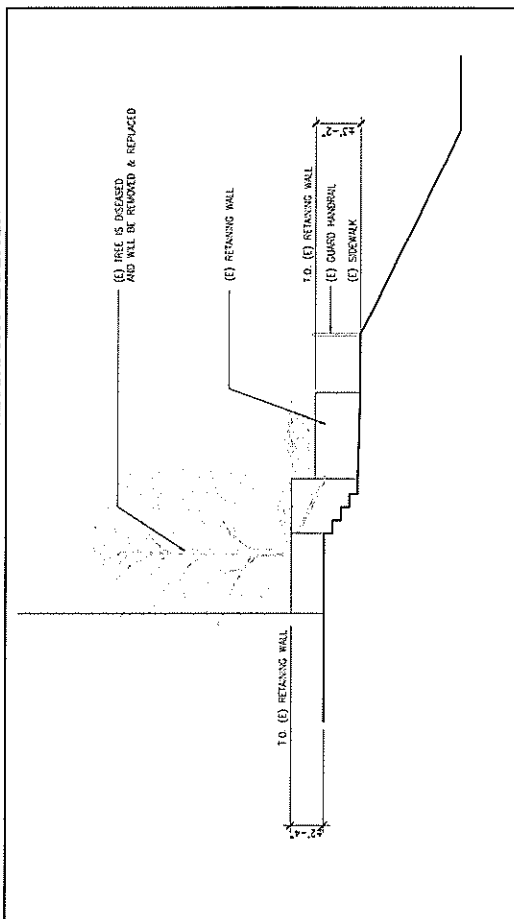
SCALE	1/8" = 1'-0"
TYPE	2

 730 TRADE STREET, SUITE 2000 SAN FRANCISCO, CALIFORNIA 94111	 DePratti Inc.	SD0925 LOMAS SANTA FE 201 LOMAS SANTA FE DRIVE SOLANA BEACH, CA 92075	 DCI PACIFIC AIEIC WORKS ARCHITECTURAL PROGRAMS/ENGINEERING 10000 JENSEN DRIVE IRVINE, CALIFORNIA 92618	SHEET NUMBER <h1>A05</h1>	
				ELEVATION	

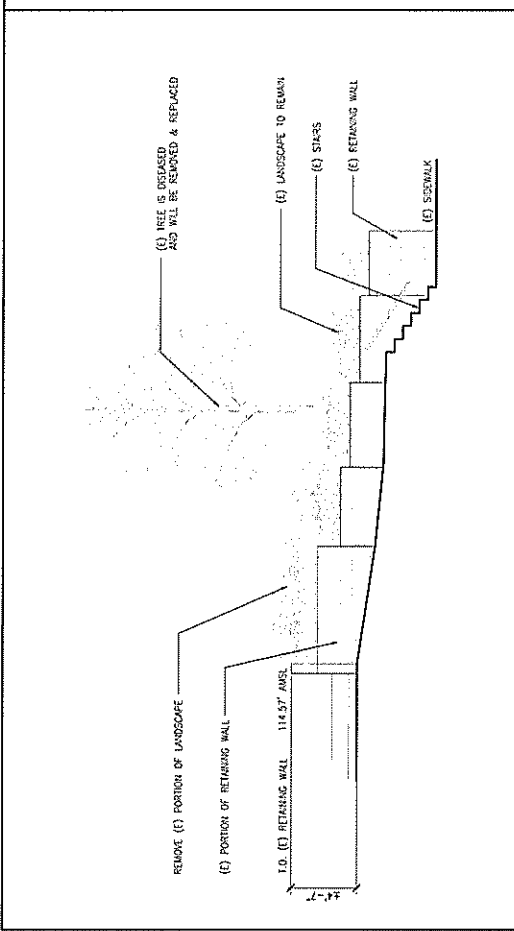
NO.	DATE	DESCRIPTION	BY	CHK
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2	11/21/18	INSTRUMENTAL CIVIL REVISIONS E-21-18	BT	DK
3	12/07/17	CONTRACT LEASE AREA REVISION	BT	DK
4	07/20/17	FIELD PER CITY COMMENTS & PER DESIGN	BT	DK
5	07/20/17	FIELD PER CITY COMMENTS	BT	DK
6	04/27/18	TO ALTERNATIVE DESIGN	BT	DK

SCALE AS SHOWN RECORDED

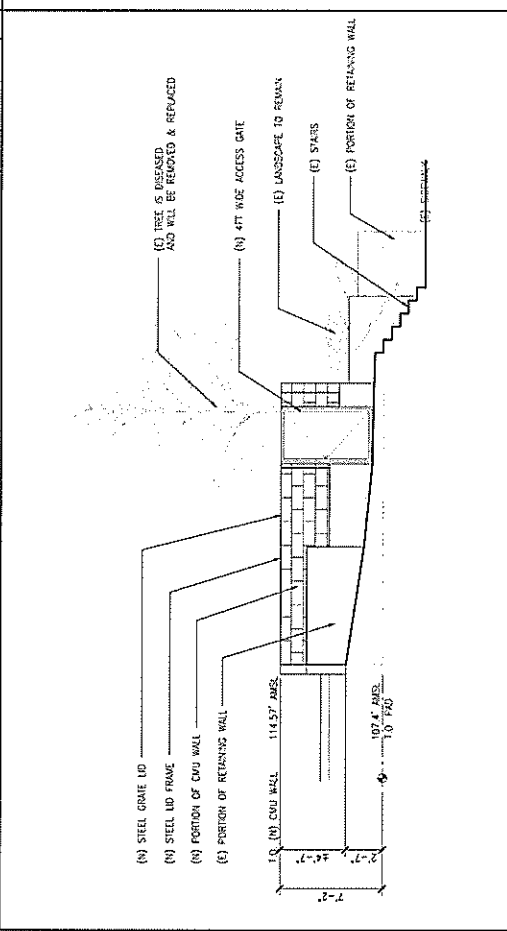
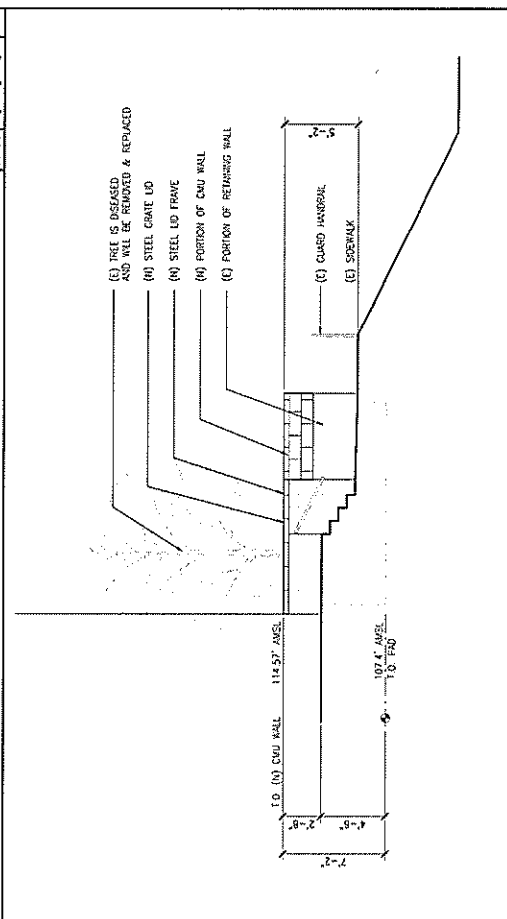
ALTERNATIVE DESIGN



(E) NORTHWEST ELEVATION



(E) NORTHEAST ELEVATION



(N) NORTHWEST ELEVATION

(N) NORTHEAST ELEVATION

 7301 TRADE STREET EAST, ROOM 204 SAN DIEGO, CA 92121-4239		SD0925 LOMAS SANTA FE 201 LOMAS SANTA FE DRIVE SOLANA BEACH, CA 92075	DCI PACIFIC A/E/C WORKS ARCHITECT (PROFESSIONAL) ENGINEERING 11111111111111111111 WWW.DCI.PACIFIC	SHEET TITLE: EQUIPMENT CUI WALL ENCLOSURE ELEVATIONS		SHEET NUMBER: A06	
				1 11/25/17 TO VETERANS REGION 2 12/22/17 TO VETERANS REGION 3 02/25/17 GED FOR CITY COMMENTS & LATER REVISION 4 03/25/17 EQUIPMENT LEASE AREA REDUCTION 5 11/25/16 EQUIPMENT LEASE AREA REDUCTION 12-27-16	NO. DATE BY CHK APPR 1 11/25/16 REVISIONS SCALE: AS SHOWN	DESIGNED CHECKED IN CHARGE	DRAWN BY DATE













# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Community Development Department  
**SUBJECT:** **Public Hearing: Request for DRP and SDP to Demolish an Existing Residence and Construct New Single-Family Residence at 809 Seabright Lane. (Case # 17-17-23 Applicants: Siddartha Kadia and Anjou Parekh; APN: 263-032-04; Resolution No. 2018-003)**

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## **BACKGROUND:**

The Applicants, Siddartha Kadia and Anjou Parekh, are requesting City Council approval of a Development Review Permit (DRP) and a Structure Development Permit (SDP) to demolish an existing single-family residence and construct a new single-family residence, maintain an existing detached two-car garage, and perform associated site improvements. The Applicants propose to remove and replace the roof of the existing detached garage. The 15,126 square-foot lot is located at 809 Seabright Lane and within the Low Medium Residential (LMR) Zone and Scaled Residential Overlay Zone (SROZ).

The project proposes grading in the amounts of 50 cubic yards of cut for footings and foundation and 50 cubic yards of scarifying and recompaction. The maximum building height for the proposed residence would be 24.7 feet above the existing grade and 81.5 feet above Mean Sea Level (MSL). The maximum height of the new roof proposed for the existing detached garage would be 13.2 feet or 71.5 feet above the MSL. The project meets two thresholds for the requirement of a DRP, including: 1) construction in excess of 60 percent of the allowable floor area; and 2) a second floor that exceeds 35 percent of the floor area of the first floor. The project requires a SDP because the proposed development exceeds 16 feet in height above the existing grade.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicants' request as contained in Resolution 2018-003 (Attachment 1).

CITY COUNCIL ACTION:

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**DISCUSSION:**

The lot is currently developed with a single-story, single-family residence and a detached garage. The existing residence would be demolished and the detached garage would remain, however, the Applicants propose to remove and replace the roof of the existing garage. The lot is a flag shape with an approximately 20 foot wide and 146 foot long driveway that provides access to the lot from the west side of Seabright Lane. The remainder of the buildable lot area is rectangular in shape. The lot abuts residential properties to the north, south, and east. Property to the west is the North County Transit District's railroad right-of-way. The topography of the lot slopes down from the street frontage to the rear of the property with an approximate 8-foot change in elevation. The Applicants propose to construct a 4,442 square-foot two-story, single-family residence and maintain an existing detached 514 square-foot garage. The Applicants propose to remove the existing angled roof of the garage and replace it with a lower flat roof. The project would also include associated site improvements including cut and fill grading, a pool and spa, fencing and retaining walls, hardscaping, and landscaping. The project plans are provided in Attachment 2.

Table 1 (below) provides a comparison of the Solana Beach Municipal Code (SBMC) applicable zoning regulations with the Applicants' proposed design.

<b>Table 1</b>			
<b>LOT INFORMATION</b>			
<b>Property Address:</b>	809 Seabright Ln.	<b>Zoning Designation:</b>	LMR (4 du/ac)
<b>Lot Size (Net):</b>	15,126 ft <sup>2</sup>	<b># of Units Allowed:</b>	1 Dwelling Unit, 1 ADU
<b>Max. Allowable Floor Area:</b>	4,588 ft <sup>2</sup>	<b># of Units Requested:</b>	1 Dwelling Unit
<b>Proposed Floor Area:</b>	4,556 ft <sup>2</sup>	<b>Setbacks:</b>	<b>Required</b> <b>Proposed</b>
<b>Below Max. Floor Area by:</b>	32 ft <sup>2</sup>	Front (E)	25 ft.      44 ft. 4½ in
<b>Max. Allowable Height:</b>	25 ft.	Interior Side (N)	10 ft.      10 ft.
<b>Max. Proposed Height:</b>	24.7 ft.	Interior Side (S)	10 ft.      10 ft. ½ in.
<b>Highest Point/Ridge:</b>	81.5 MSL	Rear (W)	25 ft.      31 ft. 3 in.
<b>Overlay Zone(s):</b>	SROZ		
<b>PROPOSED PROJECT INFORMATION</b>			
<b>Floor Area Breakdown:</b>		<b>Required Permits:</b>	
Principal Residence Main Level	2,952 ft <sup>2</sup>	<b>DRP:</b> A DRP is required for a structure that exceeds 60% of the maximum allowable floor area and for a second story that is more than 35% of the first floor, floor area.	
Covered Patio (included in FAR)	49 ft <sup>2</sup>		
Principal Residence Upper Level	1,441 ft <sup>2</sup>		
Principal Residence Garage	514 ft <sup>2</sup>		
Subtotal:	4,956 ft <sup>2</sup>	<b>SDP:</b> A SDP is required for a new structure that exceeds 16 feet in height from the existing grade.	
Off-Street Parking Exemption	- 400 ft <sup>2</sup>		
<b>Total Floor Area:</b>	<b>4,556 ft<sup>2</sup></b>		
<b>Proposed Grading:</b> 50 yd <sup>3</sup> of cut for the footings and foundation and 50 yd <sup>3</sup> for scarifying and recompaction			
<b>Proposed Parking:</b> Detached 2-Car Garage		<b>Existing Development:</b>	
<b>Proposed Fences and Walls:</b> Yes		Single-story, single-family residence to be demolished and a detached garage to remain but the roof will be removed and replaced.	
<b>Proposed Accessory Dwelling Unit:</b> No			
<b>Proposed Accessory Structure:</b> Yes			

Staff has prepared draft findings for approval of the project in the attached Resolution 2018-003 for Council's consideration based upon the information in this report. The applicable SBMC sections are provided in italicized text and conditions from the Community Development, Engineering, and Fire Departments are incorporated in the Resolution of Approval. The Council may direct Staff to modify the Resolution to reflect the findings and conditions it deems appropriate as a result of the public hearing process. If the Council determines the project is to be denied, Staff will prepare a Resolution of Denial for adoption at a subsequent Council meeting.

The following is a discussion of the findings for a DRP and an administrative SDP as each applies to the proposed project as well as references to recommended conditions of approval contained in Resolution 2018-003.

#### Development Review Permit Compliance (SBMC Section 17.68.40):

A DRP is required for the following reasons: 1) the total proposed square footage would exceed 60 percent of the maximum allowable floor area in a residential zone; and 2) the proposal includes a second floor that exceeds 35 percent of the first floor, floor area. The total floor area proposed is 4,556 square feet, which is 99 percent of the maximum allowable floor area for the property pursuant to the SROZ and the second floor is proposed at 46 percent of the floor area of the first floor. There would be 50 cubic yards of cut for the proposed footings and 50 cubic yards of grading for scarifying and recompaction onsite.

In addition to meeting zoning requirements, the project must also be found in compliance with development review criteria. The following is a list of the development review criteria topics:

1. Relationship with Adjacent Land Uses
2. Building and Structure Placement
3. Landscaping
4. Roads, Pedestrian Walkways, Parking, and Storage Areas
5. Grading
6. Lighting
7. Usable Open Space

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. Resolution 2018-003 provides the full discussion of the findings.

1. The proposed development is consistent with the general plan and all applicable requirements of the zoning ordinance including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.

3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.
4. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicants obtaining the required permit or approval from the other agency.

If the above findings cannot be made, the Council shall deny the DRP. The following is a discussion of the applicable development review criteria as they relate to the proposed project.

#### Relationship with Adjacent Land Uses:

The property is located within the LMR Zone. Other properties located to the north, south and east are also within the LMR Zone and developed with one- and two-story, single-family residences. The property directly west is the North County Transit District railroad right-of-way. The project site is currently developed with a single-story, single-family residence and a detached garage.

The project, as designed, is consistent with the permitted uses for the LMR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The property is designated Low Medium Density Residential in the General Plan and intended for single-family residences developed at a maximum density of four dwelling units per acre. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the SROZ and within the Coastal Zone. The project has been evaluated, and could be found to be in conformance with, the regulations of the SROZ, which are discussed further in this report. As a condition of project approval, the Applicants would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

#### Building and Structure Placement:

The Applicants propose to construct a new two-story, single-family residence with a detached garage located in the southeast corner of the lot in front of the proposed residence. As viewed from the west elevation, the second story would be located on the northern half of the first floor of the residence. The long narrow driveway connects to the buildable area of the lot at the northeast corner and provides access to the lot from Seabright Lane. Once you reach the rectangular area of the flag lot, the entire width of

the lot is paved to provide driveway access to the existing detached two-car garage located just beyond the front-yard setback line and also to provide a fire apparatus turnaround.

As designed, the proposed project would be in compliance with of the required setbacks for flag lots except for an existing fence that was constructed prior to the change in the setback policy. This fence is proposed to remain as is. The principal residence would be located toward the center of the buildable area of the lot 16'-9" west of the western wall of the existing garage. The lower living area would open up to the rear yard area that would consist of a proposed deck, pool and spa, and lawn area. The Applicants are also proposing decks off of the bedrooms on the north and south sides of the first floor of the residence and a trash enclosure is proposed in the southeast corner of the lot adjacent to the existing garage.

The 2,952 square-foot main level of the principal residence would consist of an entry hall, a great room, kitchen, pantry, office, laundry room, four bathrooms and four bedrooms. The 1,441 square foot upper level of the principal residence would include a master suite with an office alcove and one additional bedroom and bathroom.

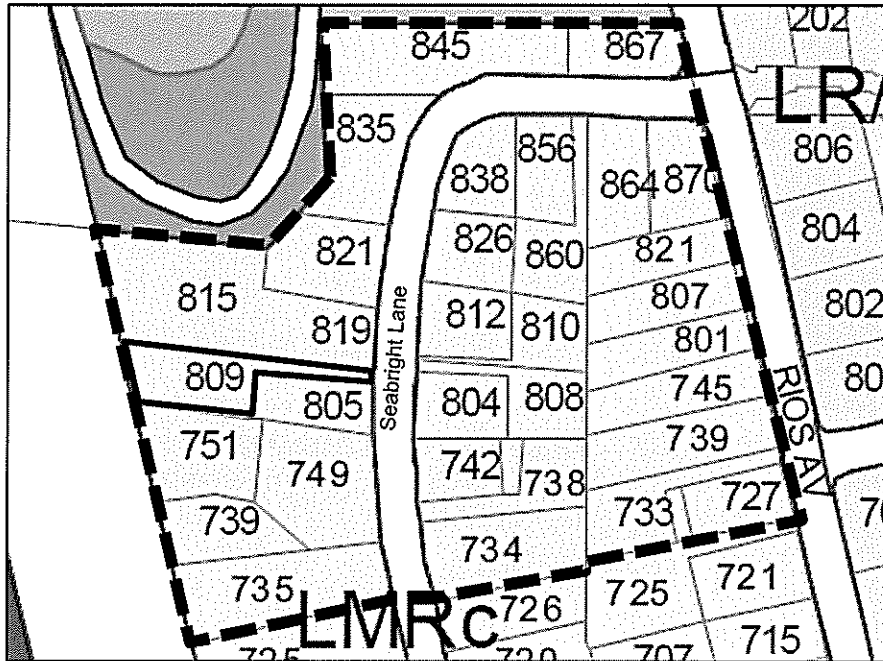
A single-family residence requires two off-street parking spaces. When required spaces are provided in a garage, 200 square feet of floor area is exempted for each required space. Therefore, the project is afforded a 400 square-foot exemption, and the total proposed floor area would be 4,556 square feet, which is 32 square feet below the maximum allowable Floor Area for the 15,126 square-foot lot, pursuant to the SROZ regulations. The maximum floor area calculation for this project is as follows:

0.500 for first 6,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>
0.175 for 6,001 to 15,000 ft <sup>2</sup>	1,575 ft <sup>2</sup>
0.100 for 15,001 to 20,000 ft <sup>2</sup>	12.6 ft <sup>2</sup>
Total Allowable Floor Area:	<u>4,588 ft<sup>2</sup></u>

The proposed project, as designed, meets the minimum required setbacks and is one square-foot below the maximum allowable floor area for the property.

#### Neighborhood Comparison:

Staff compared the proposed project to 31 other properties within the surrounding area. This area includes properties along both sides of Seabright Lane and the west side of N. Rios Avenue as shown on the following map:



The properties evaluated in this comparison are located in the LMR Zone and SROZ. The existing homes range in size from 800 square feet to 5,759 square feet, according to the County Assessor records. It should be noted that the County Assessor does not include the garage, covered porch area, unfinished basement or accessory building area in the total square footage. Accordingly, the building area of the proposed project has been calculated for comparison purposes by deleting the area of the proposed garage as follows:

Project Gross Building Area:	4,956 ft <sup>2</sup>
Delete Covered Porch	- 49 ft <sup>2</sup>
Delete Garage	- 514 ft <sup>2</sup>
<b>Project Area for Comparison to Assessor's Data:</b>	<b>4,393 ft<sup>2</sup></b>

Table 2 is based upon the County Assessor's data and SanGIS data. It contains neighboring lot sizes, the square footage of existing development and the maximum allowable square footage for potential development on each lot.

<b>Table 2</b>						
#	Property Address	Lot Size in ft <sup>2</sup> (SanGis)	Existing ft <sup>2</sup> (Assessor)	Proposed / Recently Approved ft <sup>2</sup>	Max. Allowable ft <sup>2</sup>	Zone
1	870 Seabright Lane	10,889	3,324		3,856	LMR
2	864 Seabright Lane	12,235	2,492		4,091	LMR
3	821 N. Rios Ave.	10,677	N/A		3,814	LMR
4	807 N. Rios Ave.	12,071	3,425		4,062	LMR
5	801 N. Rios Ave.	11,540	2,974		3,970	LMR
6	745 N. Rios Ave.	13,161	1,437		4,253	LMR
7	739 N. Rios Ave.	16,325	1,507		4,708	LMR

8	738 N. Rios Ave.	10,750	3,385		3,831	LMR
9	804 Seabright Lane	9,858	906		3,675	LMR
10	808 Seabright Lane	10,346	2,646		3,761	LMR
11	810 Seabright Lane	9,739	1,743		3,654	LMR
12	812 Seabright Lane	10,170	2,194		3,730	LMR
13	826 Seabright Lane	10,387	1,823	4,920*	3,768	LMR
14	860 Seabright Lane	11,746	1,268		4,006	LMR
15	856 Seabright Lane	9,903	1,636		3,683	LMR
16	838 Seabright Lane	10,623	3,574		3,809	LMR
17	742 Seabright Lane	10,238	1,307		3,742	LMR
18	835 Seabright Lane	17,304	3,213		4,805	LMR
19	821 Seabright Lane	15,403	3,908		4,615	LMR
<b>20</b>	<b>809 Seabright Lane</b>	<b>15,126</b>	<b>1,237</b>	<b>4,393</b>	<b>4,588</b>	<b>LMR</b>
21	805 Seabright Lane	8,643	1,427		3,463	LMR
22	845 Seabright Lane	24,758	2,258		5,313	LMR
23	867 Seabright Lane	10,130	1,064		3,723	LMR
24	741 Seabright Lane	11,857	4,581		4,661	LMR
25	819 Seabright Lane	38,333	5,759		5,992	LMR
26	815 Seabright Lane		3,856			LMR
27	749 Seabright Lane	20,878	800		5,119	LMR
28	751 Seabright Lane	15,669	4,250		4,642	LMR
29	734 Seabright Lane	18,677	3,244		4,943	LMR
30	727 N. Rios Ave.	10,118	3,065		3,721	LMR
31	733 N. Rios Ave.	12,746	3,816		4,181	LMR
32	735 Seabright Lane	23,388	1,044		5,244	LMR

\* Approved including the 1,316 square foot finished basement which is included in the Assessor's existing square footage but is not included in the City's calculation of floor area.

#### Fences, Walls and Retaining Walls:

Within the front yard setback area, the SBMC Section 17.20.040(O) allows fences and walls, or any combination thereof, to be no higher than 42 inches in height as measured from existing grade, except for an additional two feet of fence that is at least 80% open to light. Fences, walls and retaining walls located within the rear and interior side yards are allowed to be up to six feet in height with an additional 24 inches that is 50% open to light and air. However, the SBMC also permits fences or walls to be 5 feet high in the front-yard setback to comply with pool fencing requirements. It should also be noted that fences and walls are measured from the pre-existing grade.

The Applicants propose to maintain an existing fence that is located on both sides of the driveway and along the eastern property line that rounds the corners to the north and south property lines. The existing fence was constructed prior to the changes to the required setbacks for flag lots that were made in 2015 and would be considered nonconforming at this time. The SBMC Section 17.16.110(A) indicates that, "nonconforming wall or fence shall be allowed to remain in perpetuity; provided, the size or degree of the nonconformity is not increased."

A new fence is proposed that would enclose the remainder of the lot in order to provide the required pool safety fencing. Along the northern and southern property lines the new wall would be 6 feet in height with an additional 24" of fence that is 50% open to light and air. Along the western property line the fence would be a maximum of five feet solid. The landscape plans provided in Attachment 2 provide a conceptual elevation of the proposed fence.

Currently, the plans show fences and walls that comply with the requirements of SBMC 17.20.040(O) and 17.60.070(C). If the Applicants decide to modify any of the proposed fences and walls or construct additional fences and walls on the project site, a condition of project approval indicates that they would be required to be in compliance with the Municipal Code.

#### Landscape:

The project is subject to the current water efficient landscaping regulations of SBMC Chapter 17.56. A Landscape Documentation Package is required for new development projects with an aggregate landscape equal to or greater than 500 square feet requiring a building permit, plan check or development review. The Applicants provided a conceptual landscape plan that has been reviewed by the City's third-party landscape architect, who has recommended approval. The Applicants will be required to submit detailed construction landscape drawings that will be reviewed by the City's third-party landscape architect for conformance with the conceptual plan. In addition, the City's third-party landscape architect will perform inspections during the construction phase of the project. A separate condition has been added to require that native or drought-tolerant and non-invasive plant materials and water-conserving irrigation systems are required to be incorporated into the landscaping to the extent feasible.

#### Parking:

SBMC Section 17.52.040 and the Off-Street Parking Design Manual (OSPDM) require two (2) parking spaces for a single-family residence. The Applicants are proposing to maintain an existing 514 square foot detached garage located in the southeast corner of the lot. The existing garage provides two 9 ft. X 19 ft. parking spaces that are clear of obstruction. The property would be accessed by an existing driveway along the northern side of the property with access off of Seabright Lane. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the floor area calculation. The proposed garage will provide two parking spaces, therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

#### Grading:

The project includes grading in the amount of 50 cubic yards of cut for the proposed footings and 50 cubic yards for scarifying and recompaction onsite. The majority of the proposed cut would occur within the building footprint.



#### Lighting:

A condition of project approval is that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

#### Usable Open Space:

The project consists of the construction of a replacement single-family residence with a detached garage on a developed residential lot, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

#### Structure Development Permit Compliance:

The proposed structure exceeds 16 feet in height above the existing grade, therefore, the project must comply with all of the View Assessment requirements of SBMC Chapter 17.63 and the Applicants were required to complete the SDP process. A final Story Pole Height Certification was issued by a licensed land surveyor on October 5, 2017 which showed a maximum building height of 24.7 feet and the tallest story poles (SP #16) certified at 81.5 MSL as measured above the proposed grade. Notices to apply for View Assessment were mailed to property owners and occupants within 300 feet of the project site with a deadline to file for View Assessment by November 22, 2017. No applications for View Assessment were received. Therefore, if the Council is able to make the required findings to approve the DRP, the SDP would be approved administratively.

As a condition of approval, a height certificate prepared by a licensed land surveyor will be required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 24.7 feet above the proposed grade or 81.5 feet above the Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

#### Public Hearing Notice:

Notice of the City Council Public Hearing for the project was published in the Union Tribune more than 10 days prior to the public hearing. The same public notice was mailed to property owners and occupants within 300 feet of the proposed project site on December 28, 2017. As of the date of preparation of this Staff Report, Staff has not received correspondence regarding this project.

Conditions from the Planning, Engineering, and Fire Departments have been incorporated into the Resolution of Approval.

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Zoning regulations and the General Plan. Should the Council determine that the

findings can be made to approve the project; the SDP will be issued administratively with the DRP.

**CEQA COMPLIANCE STATEMENT:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 consists of construction and location of limited numbers of new, small facilities or structures. Examples of this exemption include one single-family residence or second dwelling unit in a residential zone. In urbanized areas, up to three-single-family residences may be constructed or converted under this exemption.

**FISCAL IMPACT:** N/A

**WORK PLAN:** N/A

**OPTIONS:**

- Approve Staff recommendation adopting the attached Resolution 2018-003.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all required findings for the approval of a SDP and DRP.
- Deny the project if all required findings for the DRP cannot be made.

**DEPARTMENT RECOMMENDATION:**

The proposed project meets the minimum zoning requirements under the SBMC, may be found to be 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 2018-003 conditionally approving a DRP and an SDP to demolish an existing single-story, single-family residence and construct a new two-story, 4,442 square foot single-family residence, remove and replace the roof on the existing detached 514 square foot garage and perform associated site improvements at 809 Seabright Lane, Solana Beach.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



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Gregory Wade, City Manager

Attachments:

1. Resolution 2018-003
2. Project Plans

**RESOLUTION NO. 2018-003**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT AND AN ADMINISTRATIVE STRUCTURE DEVELOPMENT PERMIT FOR THE DEMOLITION OF THE EXISTING SINGLE-FAMILY RESIDENCE AND THE CONSTRUCTION OF A NEW TWO-STORY, SINGLE-FAMILY RESIDENCE WITH AN EXISTING DETACHED TWO-CAR GARAGE AND TO PERFORM ASSOCIATED SITE IMPROVEMENTS ON PROPERTY LOCATED AT 809 SEABRIGHT LANE, SOLANA BEACH**

**APPLICANTS: SIDDHARTHA KADIA AND  
ANJOU PAREKH  
CASE NO.: 17-17-23 DRP/SDP**

**WHEREAS**, Siddhartha Kadia and Anjou Parekh (hereinafter referred to as "Applicants"), have submitted an application for a Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC); and

**WHEREAS**, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

**WHEREAS**, at the public hearing on January 10, 2018, the City Council received and considered evidence concerning the proposed application; and

**WHEREAS**, the City Council found the application request exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and

**WHEREAS**, this decision is based upon the evidence presented at the hearing, and any information the City Council gathered by viewing the site and the area as disclosed at the hearing.

**NOW THEREFORE**, the City Council of the City of Solana Beach, California, does resolves as follows:

- I. That the foregoing recitations are true and correct.
- II. That the request for a DRP and a SDP to demolish an existing single-story, single-family residence and construct a replacement two-story, single-family residence, maintain an existing detached two-car garage, and perform associated site improvements at 809 Seabright Lane, is conditionally approved based upon the following Findings and subject to the following Conditions:

### III. FINDINGS

A. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

- I. *The proposed project is consistent with the General Plan and all applicable requirements of SBMC Title 17 (Zoning Ordinance), including special regulations, overlay zones and specific plans.*

General Plan Consistency: The project, as conditioned, is consistent with the City's General Plan designation of Low Medium Density Residential, which allows for single-family residential development with a maximum density of four dwelling units per acre. The development is also consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

Zoning Ordinance Consistency: The project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) (SBMC 17.20.030 and 17.48.040), which delineates maximum allowable Floor Area Ratio (FAR), Permitted Uses and Structures (SBMC Section 17.20.020) which provides for uses of the property for a single-family residence. Further, the project adheres to all property development regulations established for the Low Medium Residential (LMR) Zone and cited by SBMC Section 17.020.030.

The project is consistent with the provisions for minimum yard dimensions (i.e., setbacks) and the maximum allowable Floor Area Ratio (FAR), maximum building height, and parking requirements.

- II. *The proposed development complies with the following development review criteria set forth in Solana Beach Municipal Code Section 17.68.040.F:*

- a. *Relationship with Adjacent Land Uses: The development shall be designed in a manner compatible with and complementary to existing development in the immediate vicinity of the project site and the surrounding neighborhood. The development as proposed shall also be compatible in scale, apparent bulk, and massing with such existing development in the surrounding neighborhood. Site planning on or near the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects.*

The property is located within the LMR Zone. Other properties located to the north, south and east are also within the LMR Zone and developed with one- and two-story, single-family

residences. The property directly west is the North County Transit District railroad right-of-way. The project site is currently developed with a single-story, single-family residence and a detached garage.

The project, as designed, is consistent with the permitted uses for the LMR Zone as described in SBMC Sections 17.20.010 and 17.12.020. The property is designated Low Medium Density Residential in the General Plan and intended for single-family residences developed at a maximum density of four dwelling units per acre. The proposed development is consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the SROZ and within the Coastal Zone. The project has been evaluated, and is in conformance with, the regulations of the SROZ, which are discussed further in this report. As a condition of project approval, the Applicants shall obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

- b. Building and Structure Placement: Buildings and structures shall be sited and designed to minimize adverse impacts on the surrounding properties and designed in a manner which visually and functionally enhance their intended use and complement existing site topography. Multi-family residential buildings shall be sited to avoid crowding and to allow for a functional use of the space between buildings.*

The Applicants propose to construct a new two-story, single-family residence with a detached garage located in the southeast corner of the lot in front of the proposed residence. As viewed from the west elevation, the second story would be located on the northern half of the first floor of the residence. The long narrow driveway connects to the buildable area of the lot at the northeast corner and provides access to the lot from Seabright Lane. Once you reach the rectangular area of the flag lot, the entire width of the lot is paved to provide driveway access to the existing detached two-car garage located just beyond the front-yard setback line and also to provide a fire apparatus turnaround.

As designed, the proposed project is in compliance with the required setbacks for flag lots except for an existing fence that was constructed prior to the change in the setback policy. This fence is proposed to remain as is. The principal residence would be located toward the center of the buildable area of the lot 16'-9" west of the western wall of the existing garage. The lower living area would open up to the rear yard area that would consist of a proposed deck, pool and spa, and lawn area. The Applicants are also proposing decks off of the bedrooms on the north and south sides of the first floor of the residence and a trash enclosure is proposed in the southeast corner of the lot adjacent to the existing garage.

The 2,952 square-foot main level of the principal residence would consist of an entry hall, a great room, kitchen, pantry, office, laundry room, four bathrooms and four bedrooms. The 1,441 square foot upper level of the principal residence would include a master suite with an office alcove and one additional bedroom and bathroom.

A single-family residence requires two off-street parking spaces. When required spaces are provided in a garage, 200 square feet of floor area is exempted for each required space. Therefore, the project is afforded a 400 square-foot exemption, and the total proposed floor area would be 4,556 square feet, which is 32 square feet below the maximum allowable Floor Area for the 15,126 square-foot lot, pursuant to the SROZ regulations. The maximum floor area calculation for this project is as follows:

0.500 for first 6,000 ft <sup>2</sup>	3,000 ft <sup>2</sup>
0.175 for 6,001 to 15,000 ft <sup>2</sup>	1,575 ft <sup>2</sup>
0.100 for 15,001 to 20,000 ft <sup>2</sup>	12.6 ft <sup>2</sup>
Total Allowable Floor Area:	<u>4,588 ft<sup>2</sup></u>

The proposed project, as designed, meets the minimum required setbacks and is one square-foot below the maximum allowable floor area for the property.

- c. *Landscaping: The removal of significant native vegetation shall be minimized. Replacement vegetation and landscaping shall be compatible with the vegetation of the surrounding area. To the maximum extent practicable, landscaping and plantings shall be used to screen parking areas, storage areas, access roads, and other service uses of the site. Trees and other large plantings shall not obstruct significant views when installed or at maturity. Drought tolerant plant materials and water conserving irrigation systems shall be incorporated into all landscaping plans.*

The project is subject to the current water efficient landscaping regulations of SBMC Chapter 17.56. A Landscape Documentation Package is required for new development projects with an aggregate landscape equal to or greater than 500 square feet requiring a building permit, plan check or development review. The Applicants provided a conceptual landscape plan that has been reviewed by the City's third-party landscape architect, who has recommended approval. The Applicants shall submit detailed construction landscape drawings that will be reviewed by the City's third-party landscape architect for conformance with the conceptual plan. In addition, the City's third-party landscape architect will perform inspections during the construction phase of the project. A separate condition has been added to require that native or drought-tolerant and non-invasive plant materials and water-conserving irrigation systems are required to be incorporated into the landscaping to the extent feasible.

- d. *Roads, Pedestrian Walkways, Parking and Storage Areas: Any development involving more than one building or structure shall provide common access roads and pedestrian walkways. Parking and outside storage areas, where permitted, shall be screened from view, to the extent feasible, by existing topography, by the placement of buildings and structures, or by landscaping and plantings.*

SBMC Section 17.52.040 and the Off-Street Parking Design Manual (OSPDM) require two (2) parking spaces for a single-family residence. The Applicants are proposing to maintain and existing 514 square foot detached garage located in the southeast corner of the lot. The existing garage provides two 9 ft. X 19 ft. parking spaces that are clear of obstruction. The property would be accessed by an existing driveway along the northern side of the property with access off of Seabright Lane. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the floor area calculation. The proposed garage will provide two parking spaces, therefore, 400 square feet of garage area is exempt from the project's floor area calculation.

- e. *Grading: To the extent feasible, natural topography and scenic features of the site shall be retained and incorporated into the proposed development. Any grading or earth-moving operations in connection with the proposed development shall be planned and executed so as to blend with the existing terrain both on and adjacent to the site. Existing exposed or disturbed slopes shall be landscaped with native or naturalized*



*non-native vegetation and existing erosion problems shall be corrected.*

The project includes grading in the amount of 50 cubic yards of cut for the proposed footings and foundation and 50 cubic yards for scarifying and recompaction onsite. The majority of the proposed cut would occur within the building footprint.

- f. Lighting: Light fixtures for walkways, parking areas, driveways, and other facilities shall be provided in sufficient number and at proper locations to assure safe and convenient nighttime use. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding areas per SBMC 17.60.060 (Exterior Lighting Regulations).*

All new exterior lighting fixtures shall comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC 17.60.060). All light fixtures shall be shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities as to be detrimental to the surrounding area.

- g. Usable Open Space: Recreational facilities proposed within required usable open space shall be located and designed to maintain essential open space values.*

The project consists of the construction of a replacement single-family residence with a detached garage on a developed residential lot, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

- III. All required permits and approvals including variances, conditional use permits, comprehensive sign plans, and coastal development permits have been obtained prior to or concurrently with the development review permit.*

All required permits, including a Structure Development Permit, are being processed concurrently with the Development Review Permit.

- IV. If the development project also requires a permit or approval to be issued by a state or federal agency, the city council may conditionally approve the development review permit upon the Applicants obtaining the required permit or approval from the other agency.*

The Applicants shall obtain approval from the California Coastal Commission prior to issuance of Building Permits.

- B. In accordance with Section 17.63.040 (Structure Development Permit) of the Solana Beach Municipal Code, the City Council finds the following:

The proposed structure exceeds 16 feet in height above the existing grade, therefore, the project must comply with all of the View Assessment requirements of SBMC Chapter 17.63 and the Applicants were required to complete the SDP process. A final Story Pole Height Certification was issued by a licensed land surveyor on October 5, 2017 which showed a maximum building height of 24.7 feet and the tallest story poles (SP #16) certified at 81.5 MSL as measured above the proposed grade. Notices to apply for View Assessment were mailed to property owners and occupants within 300 feet of the project site with a deadline to file for View Assessment by November 22, 2017. No applications for View Assessment were received. Therefore, if the Council is able to make the required findings to approve the DRP, the SDP would be approved administratively.

As a condition of approval, a height certificate prepared by a licensed land surveyor will be required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 24.7 feet above the proposed grade or 81.5 feet above the Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

#### IV. CONDITIONS

Prior to use or development of the property in reliance on this permit, the Applicants shall provide for and adhere to the following conditions:

A. Community Development Department Conditions:

- I. The Applicants shall pay required Public Facilities Fees, as established by SBMC Section 17.72.020 and Resolution 1987-36.
- II. Building Permit plans must be in substantial conformance with the architectural plans presented to the City Council on January 10, 2018, and located in the project file with a submittal date of October 18, 2017.
- III. Prior to requesting a framing inspection, the Applicants shall be required to submit a height certification, signed by a licensed land surveyor, certifying that the building envelope (which is represented by the story poles) is in conformance with the plans as approved by the City Council on January 10, 2018 and the certified story pole plot plan, and will not exceed 24.7 feet in height from the proposed grade or 81.5 feet above MSL.
- IV. Any proposed onsite fences, walls and retaining walls and any proposed railing located on top, or any combination thereof, shall comply with applicable regulations of SBMC Section 17.20.040 and

17.60.070 (Fences and Walls).

- V. The Applicants shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a grading or building permit.
- VI. The Applicants shall submit detailed construction landscape drawings that will be reviewed by the City's third-party landscape architect and shall be in substantial conformance with the conceptual plan presented to the City Council on January 10, 2018. In addition, the City's third-party landscape architect will perform a final inspection to verify substantial conformance onsite prior to final occupancy.
- VII. Native or drought tolerant and non-invasive plant materials and water conserving irrigation systems shall be incorporated into any proposed landscaping and compatible with the surrounding area to the extent feasible.
- VIII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- IX. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.

B. Fire Department Conditions:

- I. **ACCESS ROAD MINIMUM DIMENSIONS:** Fire apparatus access roads shall have an unobstructed improved width of not less than 20 feet; curb line to curb line, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Exception: Single-Family residential driveways; serving no more than two single-family dwellings, shall have minimum of 16 feet curb line to curb line, of unobstructed improved width. Access roads shall be designed and maintained to support the imposed loads of not less than 75,000 pounds and shall be provided with an approved paved surface to provide all-weather driving capabilities.
  - Landscape plans shall comply with the above requirements.
- II. **DEAD ENDS:** All dead-end fire access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus. A cul-de-sac shall be provided in residential areas where the access roadway serves more than four (4) structures. The minimum unobstructed paved radius width for cul-de-sac shall be 36 feet in residential areas with no parking.

- III. GRADE: The gradient for a fire apparatus access roadway shall not exceed 20.0%. Grades exceeding 15.0% (incline or decline) shall not be permitted without mitigation. Minimal mitigation shall be a surface of Portland cement concrete, with a deep broom finish perpendicular to the entire direction of travel. Additional mitigation measures may be required where deemed appropriate. The angle of departure and angle of approach of a fire access roadway shall not exceed seven degrees (12%).
- IV. GATES: All gates or other structures or devices, which could obstruct fire access roadways or otherwise hinder emergency operations, are prohibited unless they meet standards approved by the Fire Department. An approved emergency key-operated switch and/or an approved emergency traffic control-activating strobe light sensor shall be installed per Solana Beach Fire Department standards.
- V. ADDRESS NUMBERS: STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the following minimum standards as to size: 4 inches high with a ½ inch stroke width for residential buildings, 8 inches high with a ½ inch stroke for commercial and multi-family residential buildings, and 12 inches high with a 1 inch stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers.
- VI. ADDRESS NUMBERS FOR STRUCTURES LOCATED OFF ROADWAY: Where structures are located off a roadway on long easements/driveways, a monument marker shall be placed at the entrance where the easement/driveway intersects the main roadway. Permanent addresses numbers with height conforming to Fire Department standards shall be affixed to this marker.
- VII. AUTOMATIC FIRE SPRINKLER SYSTEM-ONE AND TWO FAMILY DWELLINGS: Structures shall be protected by an automatic fire sprinkler system designed and installed to the satisfaction of the Fire Department. Plans for the automatic fire sprinkler system shall be approved by the Fire Department Prior to installation.
- VIII. FIRE RESISTIVE CONSTRUCTION REQUIREMENTS FOR WILDLAND/URBAN INTERFACE AREAS: Structures shall meet all wildland/urban interface standards to the satisfaction of the Fire Department. Structures shall comply with the current California Building Code Chapter 7A.

- IX. Class "A" Roof: All Structures shall be provided with a Class "A" Roof covering to the satisfaction of the Solana Beach Fire Department.

C. Engineering Department Conditions:

- I. The Applicants shall install a 19" concrete swale at the existing flow line on Seabright Lane as shown on the Preliminary Grading and Drainage Plan prepared by Rancho Coastal Engineering, dated August 2, 2017. The swale shall connect to the driveway and shall be constructed under a valid Encroachment Permit.
- II. The Applicants shall obtain a Grading Permit concurrent with the Building Permit. All grading and storm water issues shall be addressed to the satisfaction of the City Engineer.
- III. There is an existing 8 foot wide public sewer easement near the westerly property line. The area between the easement and the westerly property line shall be granted to the City of the Solana Beach such that the easement abuts the westerly property line. No permanent structures such as block walls are allowed within, or limiting access to, the 8 foot sewer easement at the west end of the property. Any fence installed shall include a gate allowing access to the easement by the City of Solana Beach to the satisfaction of the City Engineer.
- IV. All construction demolition materials shall be recycled according to the City's Construction and Demolition recycling program and an approved waste management plan shall be submitted.
- V. An Erosion Control Plan shall be prepared. Best management practices shall be developed and implemented to manage storm water and non-storm water discharges from the site at all times during excavation and grading activities. Erosion prevention shall be emphasized as the most important measure for keeping sediment on site during excavation and grading activities. Sediment controls shall be used as a supplement to erosion prevention for keeping sediments onsite.
- VI. The Applicants shall submit a storm water management plan to demonstrate to the satisfaction of the City Engineer that the project does not increase storm water runoff or peak discharge from the existing condition and that the requirements of SBMC 13.10 Storm Water Management and the RWQCB Final Order R9-2013-0001 as amended by R9-2015-0001 and R9-2015-0100 are met.
- VII. The Applicants shall complete a storm water checklist.

## V. ENFORCEMENT

Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.

## VI. EXPIRATION

The Development Review Permit and Structure Development Permit for the project shall expire 24 months from the date of this Resolution, unless the Applicants have obtained building permits and have commenced construction prior to that date, and diligently pursued construction to completion. An extension of the application may be granted by the City Council according to SBMC 17.72.110.

## VII. INDEMNIFICATION AGREEMENT

The Applicants shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicants of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicants shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicants regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicants shall not be required to pay or perform any settlement unless such settlement is approved by the Applicants.

**NOTICE TO APPLICANTS:** Pursuant to Government Code Section 66020, you are hereby notified that the 90-day period to protest the imposition of the fees, dedications, reservations or other exactions described in this resolution commences on the effective date of this resolution. To protest the imposition of any fee, dedications, reservations or other exactions described in this resolution you must comply with the provisions of Government Code Section 66020. Generally the resolution is effective upon expiration of the tenth day following the date of adoption of this resolution, unless the resolution is appealed or called for review as provided in the Solana Beach Zoning Ordinance.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Solana Beach, California, held on the 10<sup>th</sup> day of January, 2018, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

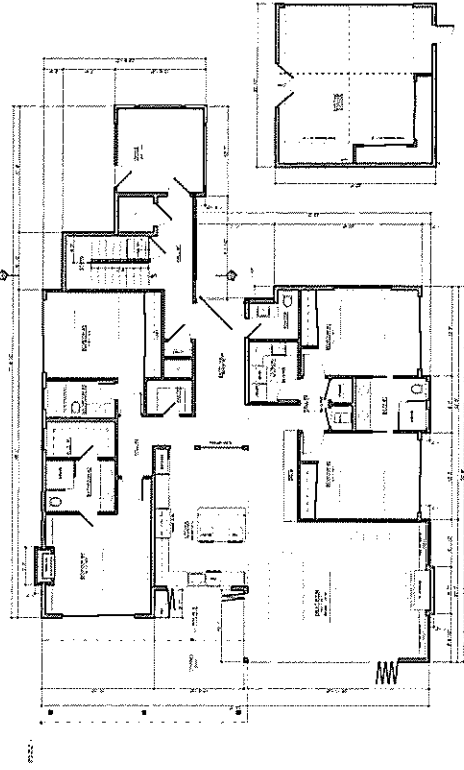
ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

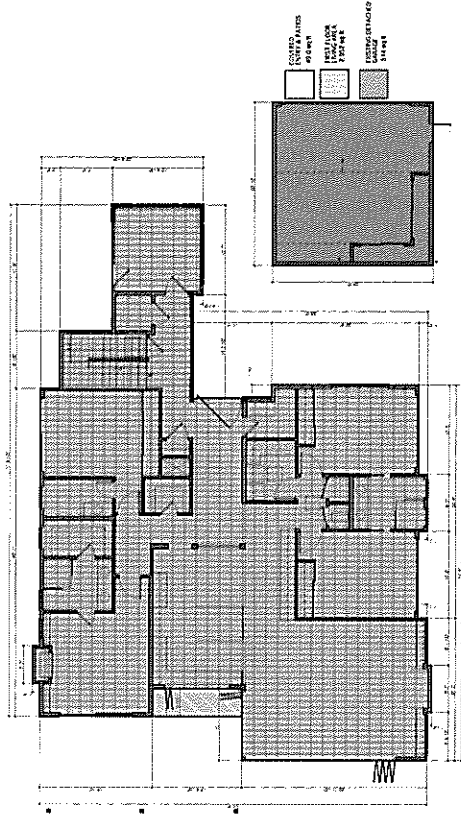
\_\_\_\_\_  
ANGELA IVEY, City Clerk



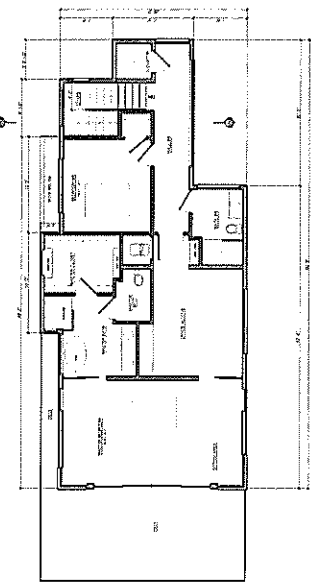




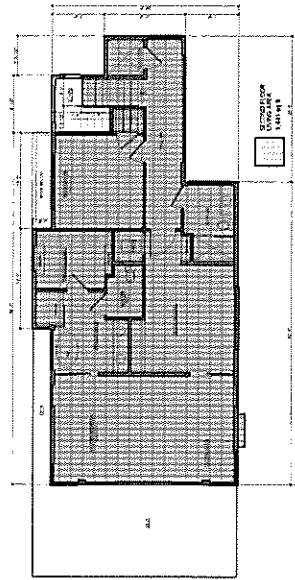
FIRST FLOOR PLAN  
SCALE: 1/8" = 1'-0"



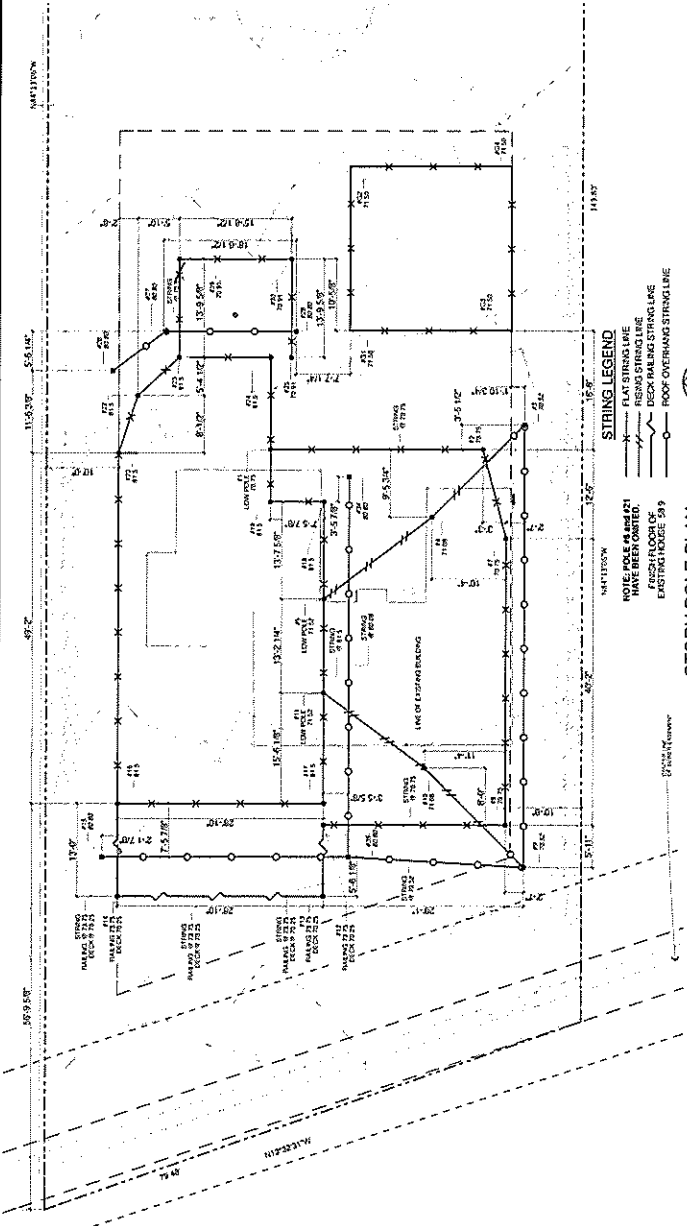
FIRST FLOOR: AREA  
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN  
SCALE: 1/8" = 1'-0"



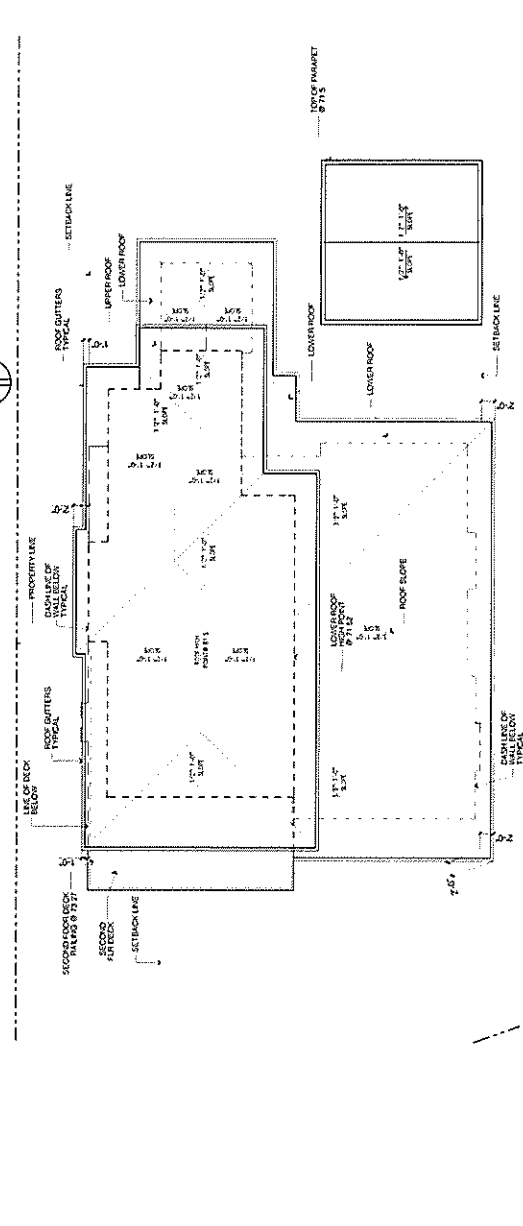
SECOND FLOOR: AREA  
SCALE: 1/8" = 1'-0"



**STRING LEGEND**

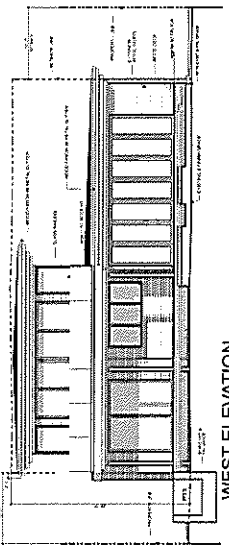
- FLAT STRING LINE
- X- ROCK PILING STRING LINE
- X- ROCK PILING STRING LINE
- X- ROCK PILING STRING LINE
- X- ROOF OVERHANG STRING LINE

**STORY POLE PLAN**  
 SCALE: 1/8" = 1'-0"

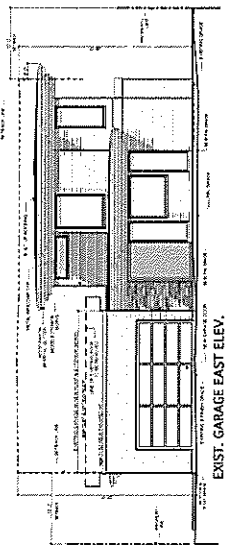


**ROOF PLAN**  
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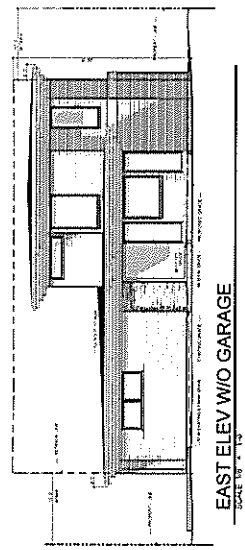




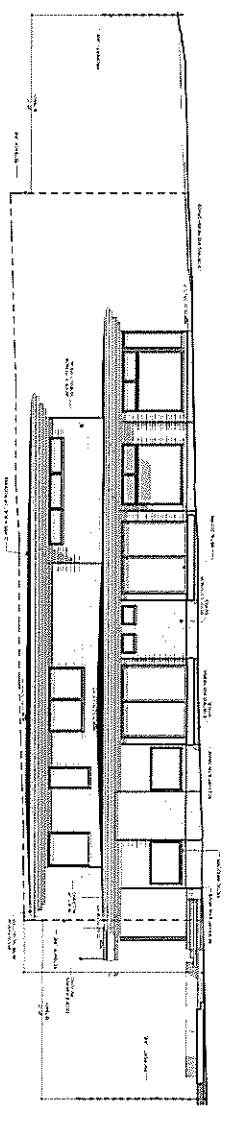
WEST ELEVATION  
SCALE 1/8" = 1'-0"



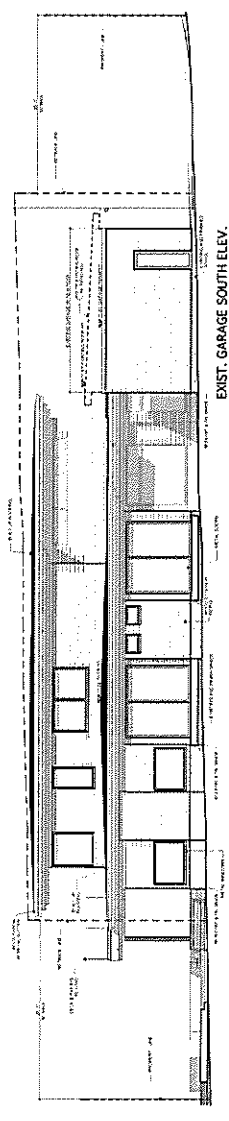
EXIST. GARAGE EAST ELEV.  
SCALE 1/8" = 1'-0"



EAST ELEV W/O GARAGE  
SCALE 1/8" = 1'-0"

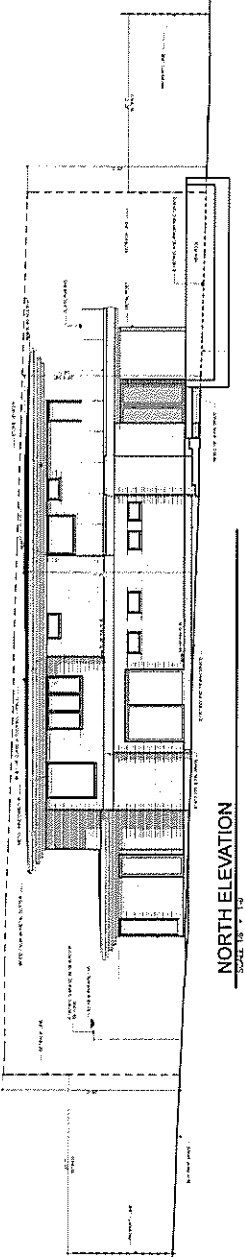


SOUTH ELEV W/O GARAGE  
SCALE 1/8" = 1'-0"

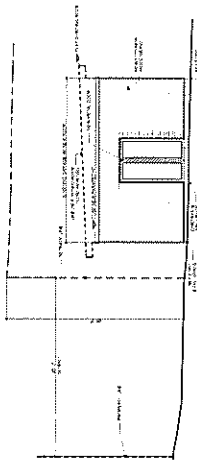


EXIST. GARAGE SOUTH ELEV.  
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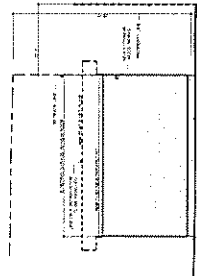
SOUTH ELEVATION  
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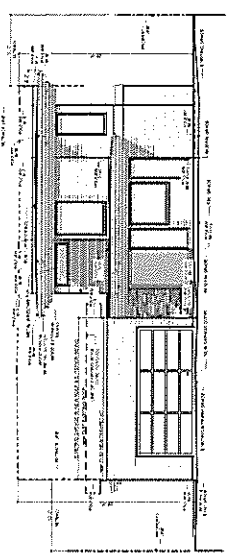
NORTH ELEVATION  
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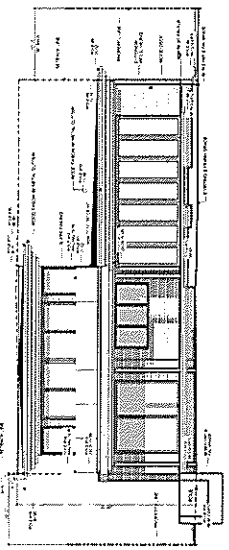
EXIST. GARAGE NORTH ELEV  
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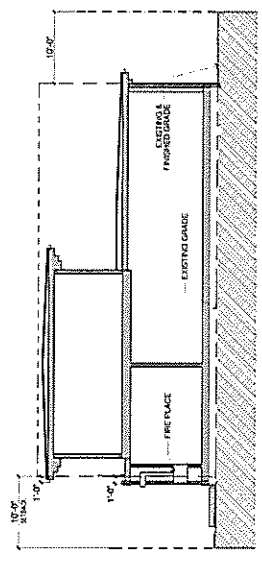
EXIST. GARAGE WEST ELEV  
SCALE 1/8" = 1'-0"



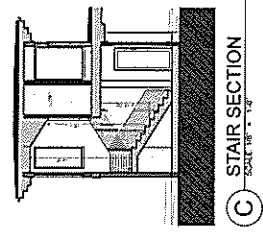
**EAST ELEV - STORY POLES**  
 SCALE 1/8" = 1'-0"



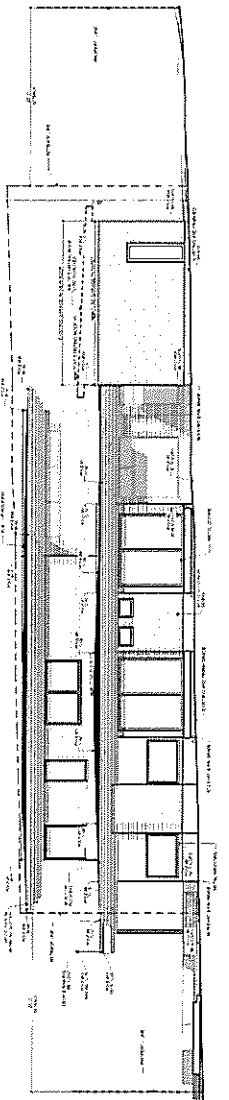
**WEST ELEV - STORY POLES**  
 SCALE 1/8" = 1'-0"



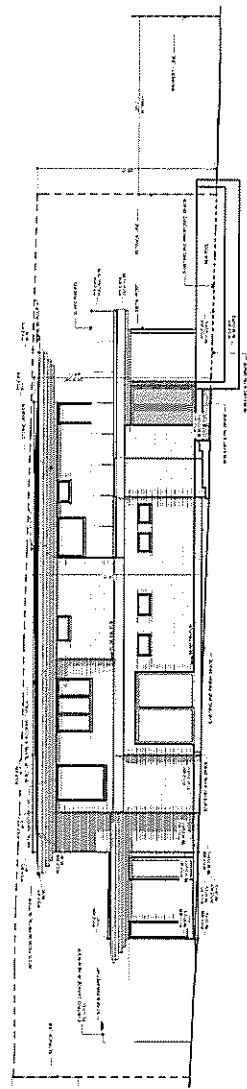
**SITE SECTION A**  
 SCALE 1/8" = 1'-0"



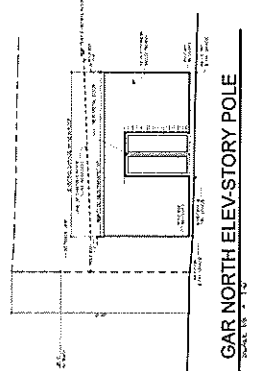
**STAIR SECTION**  
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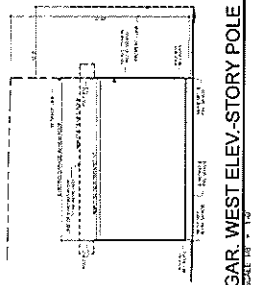
**SOUTH ELEV - STORY POLES**  
 SCALE 1/8" = 1'-0"



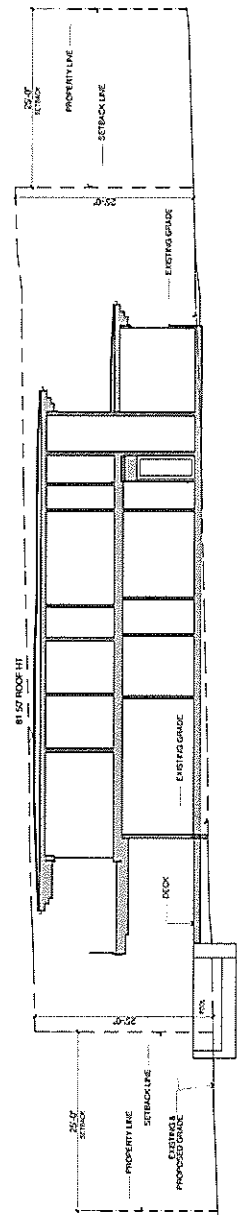
**NORTH ELEV - STORY POLES**  
 SCALE 1/8" = 1'-0"



**GAR NORTH ELEV - STORY POLE**  
 SCALE 1/8" = 1'-0"



**GAR. WEST ELEV - STORY POLE**  
 SCALE 1/8" = 1'-0"



**SITE SECTION B**  
 SCALE 1/8" = 1'-0"

# EXISTING TOPOGRAPHIC & DEMO PLAN

PRELIMINARY - NOT FOR CONSTRUCTION

### LEGEND

- BOUNDARY
- EDGE OF PAVEMENT
- WOOD FENCE
- VINYL FENCE
- CONCRETE
- GATE
- CMU WALL
- EUCALYPTUS
- TREE

- BRICK
- SEWER MANHOLE
- WATER METER
- GAS METER
- MANHOLE
- BOLLARD
- STORAGE
- CORNER
- WOOD DECK
- DRAIN
- IRRIGATION CONTROL VALVE
- STEPS
- PALM
- POWER POLE
- EDGE OF BROWSDITCH

### LEGAL DESCRIPTION

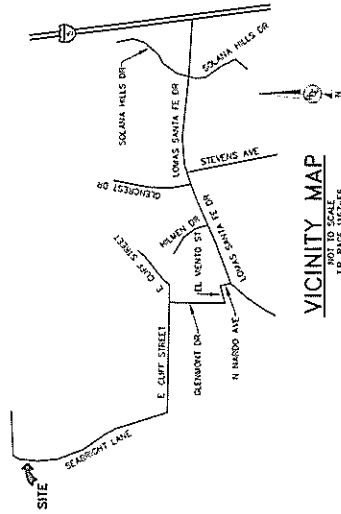
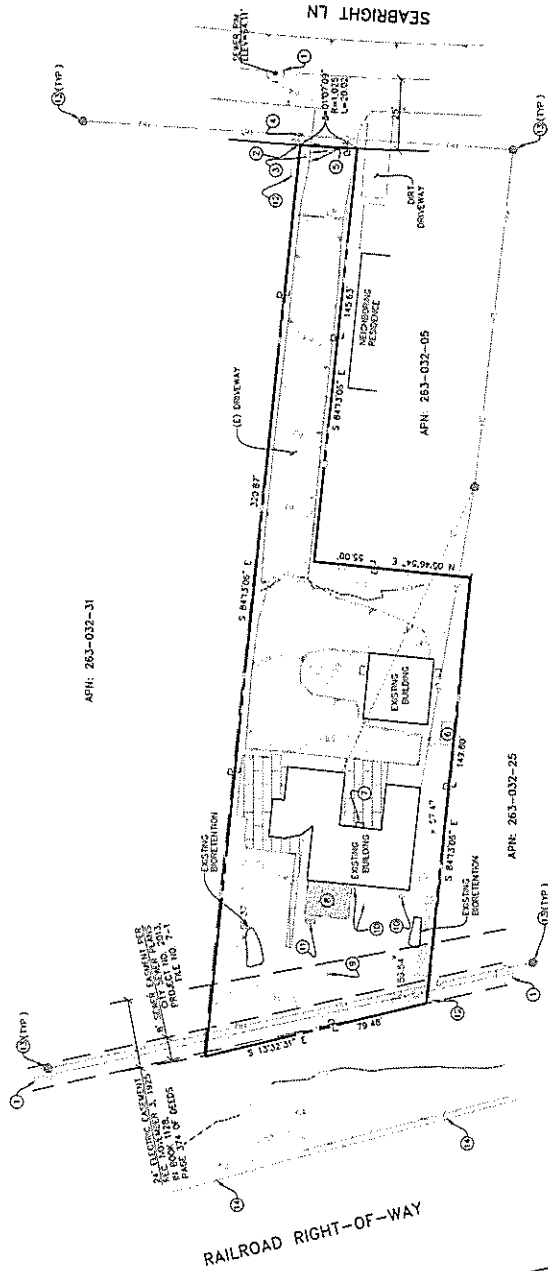
THAT PORTION OF LOT 29 OF SEABRIGHT ACRES, IN THE COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP RECORDED IN THE PUBLIC RECORDS OF SAN DIEGO COUNTY, RECORD NO. 1246.

### BOUNDARY NOTE

- THIS IS NOT A RESURVEY BOUNDARY SURVEY
- THIS IS NOT A RESURVEY BOUNDARY SURVEY
- THIS IS NOT A RESURVEY BOUNDARY SURVEY

### EXISTING IMPERVIOUS AREA

7,774 SF



PLAN PREPARED BY: *[Signature]*

DATE: 08/07/17  
 50005 L. GORDON RECEIVED 08/07/17 3:17

**BENCH MARK**  
 STAMPED 1 1/4" X 3/4" NAD 83 NATIONAL GEODETIC SURVEY BENCH IN HEADWALL  
 0.2 M. NORTH OF SOLANA VISTA DR ON EAST SIDE OF BROWSDITCH MAY 1913. 2.0 FT. SEA USN 224 FT 2012 PER 805 18271  
 CITY OF SOLANA BEACH CONTROL NETWORK  
 ELEV: 24.67' NAD 83

**CITY OF SOLANA BEACH**  
 ENGINEERING DEPARTMENT  
 809 SEABRIGHT LANE  
 DATE: 08/07/17  
 SHEET: 1 OF 2

APPROVED FOR CONSTRUCTION	RECOMMENDED FOR APPROVAL	CITY APPROVED CHANGES	ENGINEER OF WORK	SANTA FE BROWSDITCH DISTRICT	SOLANA BEACH FIRE DEPARTMENT
DATE: _____ BY: _____	DATE: _____ BY: _____	DATE: _____ BY: _____	DATE: _____ BY: _____	DATE: _____ BY: _____	DATE: _____ BY: _____

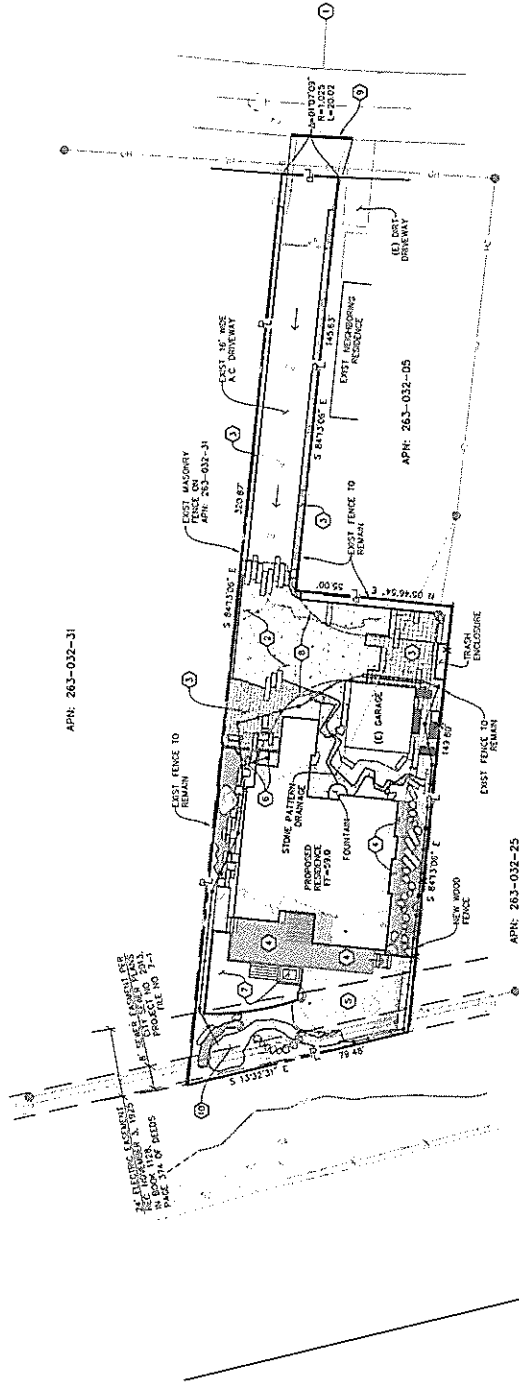
**RANCHO COASTAL**  
 ENGINEERING & SURVEYING  
 SINGLE-SERVICE PROFESSIONAL CONSULTANT  
 310 WA VERA DRIVE, #205  
 SAN MARINO, CA 91769  
 (760) 330-3553 FAX / (760) 330-3553 FAX

ENGINEER'S NAME: RANCHO COASTAL ENGINEERING

# PRELIMINARY GRADING & DRAINAGE PLAN

## WORK TO BE DONE:

- ① 6" (MIN) DRIVEWAY OPENING
- ② PCC DRIVEWAY
- ③ PERVIOUS PAVING
- ④ DECK @ 2" D
- ⑤ GRAVEL ON D.G. PATIO
- ⑥ MASONRY HALL PER ARCHITECTURAL PLANS
- ⑦ POOL & SPA PER SEPARATE PERMIT, NOT-A-PART
- ⑧ FIRE TRUCK TURNAROUND
- ⑨ 19" COLORED CONCRETE SWALE PER DETAIL THIS SHEET
- ⑩ PROPOSED DRY CREEK PER LANDSCAPE PLAN



## IMPERVIOUS AREA

IMPERVIOUS AREA PRIOR TO CONSTRUCTION 2,224 SQ FT  
 IMPERVIOUS AREA AFTER CONSTRUCTION 7,574 SQ FT  
 INCREASE IN IMPERVIOUS AREA 5,350 SQ FT  
 IMPERVIOUS AREA REPLACED 0 SQ FT



**RANCHO COASTAL  
 ENGINEERING & SURVEYING**  
 SINGLE SOURCE DEVELOPMENT CONSULTANT  
 100 W. WILSON AVENUE  
 SAN MARINO, CA 91766  
 (714) 310-3129 Fax / (714) 510-3433 Fax

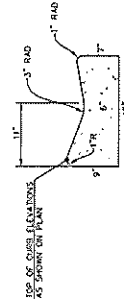
PLAN PREPARED BY: *[Signature]*

DATE: 09/02/17  
 8080 LAS E. LIGHT FEELC 39728 EXP 12-31-17



**BENCH MARK**  
 STAMPED 4 1415.33 HIGH NATIONAL  
 GEODETIC SURVEY DISK IN HEADHALL  
 0.2 M. NORTH OF SOLANA VISTA DR. ON EAST  
 SIDE OF NORTHBOUND HWY 101A, 3' OFF  
 SEA LEVEL. SEE SET FOR DATE PER 805 18P11  
 CITY OF SOLANA BEACH CONTROL NETWORK  
 ELEV. 24.67' ROAD. 88

**19" CONCRETE SWALE**  
 NOT TO SCALE  
 CONCRETE SHALL BE 2500-PSI  
 WITH 4% SLOPE AND 1" SPACED REBAR  
 COLOR: SAND BROWN BUNT



SOLANA BEACH FIRE DEPARTMENT	DATE:	APPROVED FOR APPROVAL	APPROVED FOR CONSTRUCTION
	BY: [Signature]	DATE:	DATE:
SANTA FE IRREGATION DISTRICT	DATE:	RECOMMENDED FOR APPROVAL	APPROVED FOR CONSTRUCTION
	BY: [Signature]	DATE:	DATE:
ENGINEER OF WORK	DATE:	CITY APPROVED CHANGES	APPROVED FOR CONSTRUCTION
	BY: [Signature]	DATE:	DATE:













# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** Engineering Department *of the City of Solana Beach*  
**SUBJECT:** **Adopt (2<sup>nd</sup> Reading) Ordinance 484 – Amending Section 17.80.020 of the Solana Beach Municipal Code Related to the Solana Beach Floodplain Overlay Zone to Comply with the National Flood Insurance Program**

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## BACKGROUND:

While most of Solana Beach is well above the flood zone, the area south of the intersection of Valley Avenue and Stevens Ave to Via de la Valle is subject to periodic flooding from heavy rains. This area is identified on the National Flood Insurance Rate Map to be within the 100-year flood zone. Flooding can result in loss of life and property, health and safety hazards, disruption of businesses and government services, extraordinary public expenditures, and lower property values. Flood losses are caused by land uses that are inadequately elevated, flood proofed, or protected from flood damage.

The Federal Emergency Management Agency (FEMA) makes flood insurance available to residents of participating communities, provided the community adopts and enforces adequate floodplain management regulations that meet the minimum National Flood Insurance Program (NFIP) and Code of Federal Regulations.

To be in compliance with the NFIP, in 1993 Council approved Ordinance No. 185, adopting the Solana Beach Floodplain Overlay Zone (Chapter 17.80). Since that time, changes to the NFIP have occurred and the Solana Beach Municipal Code (SBMC) has been revised accordingly.

On December 13, 2017, the City Council introduced Ordinance 484 (1<sup>st</sup> Reading) considering an ordinance to make revisions to the municipal code related to floodplain regulations. This item is before the City Council to adopt Ordinance 484 (Attachment 1) to amend SBMC Chapter 17.80 in regards to floodplain regulations.

CITY COUNCIL ACTION:

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## **DISCUSSION:**

As part of a regular Community Assistance Contact (CAC), the City was contacted by the California Department of Water Resources (DWR) on behalf of FEMA in June 2017. On July 6, 2017, City Staff met with a DWR representative who conducted a CAC to ensure compliance with NFIP regulations. The CAC revealed the need to update the City's current Floodplain Overlay Zone Ordinance in order to meet the NFIP requirements pursuant to the Title 44 Code of Federal Regulations. DWR requested that the City update SBMC Chapter 17.80 to meet the NFIP requirements pursuant to Title 44, Code of Federal Regulations, Sections 59, 60.3-60.6 and 65.3. The adoption of an amended floodplain management ordinance is a prerequisite for continued participation in the NFIP.

Staff prepared the attached ordinance and submitted it to DWR for review. DWR concluded that the ordinance meets the NFIP requirements and that, after its adoption, Solana Beach will be in full compliance. The proposed changes are described below:

1. In SBMC Section 17.80.120.C4, Standards of Construction, for all new construction and substantial improvements within the flood zone, the following statement is added: "Fully enclosed areas below the lowest floor that are subject to flooding are usable solely for parking of vehicles, building access, and storage."
2. In SBMC Sections 17.80.020, 17.80.090 and 17.80.120, the flood zone designation "VO" is removed. This flood zone designation is no longer used on FEMA maps.

Pursuant to SBMC section 17.76.050, amendments to the Title 17 of the SBMC may be approved by the Council upon making the findings contained in SBMC section 17.76.070.

SMBC section 17.76.070 requires the Council make the following findings to amend Title 17 of the SBMC:

- A. The proposed amendment is consistent with the general plan.
- B. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the city.

The changes to Chapter 17.80, as proposed in Ordinance 484, do not change the land use in the affected zone and therefore are consistent with the general plan. The suggested revisions are in compliance with the NFIP which enforces floodplain management regulations. Thus, the amendment is not detrimental to the public interest, health, safety, convenience, or welfare of the City.

Therefore, Staff recommends that the City Council adopt Ordinance 484, amending the Solana Beach Floodplain Overlay Zone (Sections 17.80.020, 17.80.090 and 17.80.120).

**CEQA COMPLIANCE STATEMENT:**

The action is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the State CEQA Guidelines.

**FISCAL IMPACT:**

There is no anticipated fiscal impact to the City.

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Staff recommendations.
- Provide direction to Staff.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Ordinance 484 amending the Solana Beach Floodplain Overlay Zone (Sections 17.80.020, 17.80.090 and 17.80.120) of the Solana Beach Municipal Code.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Ordinance 484

## ORDINANCE 484

### AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA AMENDING SECTIONS OF CHAPTER 17.80 OF THE SOLANA BEACH MUNICIPAL CODE, ALL RELATED TO FLOOD DAMAGE PREVENTION

**WHEREAS**, the City of Solana Beach City Council adopted Ordinance 185 on November 1, 1993, adopting the Solana Beach Floodplain Overlay Zone; and

**WHEREAS**, on July 6, 2017 a representative from the California Department of Water Resources, Southern Region Office (DWR) conducted a Community Assistance Contact (CAC) in the City of Solana Beach (City); and

**WHEREAS**, as a result of the July 6, 2017 CAC, the City's current Floodplain Overlay Zone Ordinance requires an update to meet the minimum National Flood Insurance Program (NFIP) requirements pursuant to the Title 44 Code of Federal Regulations Sections 59, 60.3-60.6, and 65.3; and

**WHEREAS**, the adoption of an amended floodplain management ordinance is a prerequisite for continued participation in the NFIP; and

**WHEREAS**, the City desires to continue its participation in the NFIP.

**NOW THEREFORE**, the City Council of the City of Solana Beach does ordain as follows:

Section 1. All of the above statements are true; and

Section 2. The City Council finds that this action is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15321 because there is no possibility that the activity in question may have a significant effect on the environment.

Section 3. Solana Beach Municipal Code Section 17.80.020 is amended to read as follows (strikeout indicates a deletion, underline indicated an addition):

**17.80.020 Definitions.** (Two definitions are amended.)

"Area of shallow flooding" means a designated AO or AH ~~or VO~~ zone on the flood insurance rate map (FIRM). The base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate; and areas of channelized or velocity flow may be evident.

"Special flood hazard area (SFHA)" means an area having special flood or flood-related erosion hazards, and shown on an FHB or FIRM as zone A, AO, A1-30, AE, A99, ~~VO~~, V1-V30, VE or V.

Section 4. Solana Beach Municipal Code Section 17.80.090 is amended to read as follows (strikeout indicates a deletion, underline indicated an addition):

**17.80.090 Development permit required.**

A. In addition to any other development permits or approvals required by this code, a flood damage prevention development permit shall be obtained before construction or development begins within any area of special flood hazards, areas of flood-related erosion hazards or areas of mudslide (i.e., mudflow) established by SBMC 17.80.040. Application for a permit shall be made on forms approved by the floodplain administrator and may include, but not be limited to: plans in duplicate drawn to scale showing the nature, location, dimensions, and elevation of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:

1. Proposed elevation in relation to mean sea level, of the lowest floor (including basement) of all structures; in zone AO ~~or VO~~, elevation of highest adjacent grade and proposed elevation of lowest floor of all structures;
2. Proposed elevation in relation to mean sea level to which any structure will be floodproofed;
3. All appropriate certifications listed in SBMC 17.80.120(C); and
4. Description and substantiating calculations of the extent to which any watercourse will be altered or relocated as a result of proposed development.

B. No other permit or approval for development shall be issued unless either a flood damage prevention development permit has first been issued or such other permit or approval is conditioned upon the successful issuance of a flood damage prevention development permit.

C. Appeals. The city council of the city of Solana Beach shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the floodplain administrator in the enforcement or administration of this chapter.

Section 5. Solana Beach Municipal Code Section 17.80.120 is amended to read as follows (strikeout indicates a deletion, underline indicated an addition):

**17.80.120 Standards of construction.**

Construction in all areas of special flood hazards shall comply with the standards set forth in this section.

A. Anchoring.

1. All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. All manufactured homes shall meet the anchoring standards of SBMC 17.80.150.

#### B. Construction Materials and Methods.

1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

3. All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

4. Within **all** zones AH **and** AO **or VO**, adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures shall be shown on the grading plans and required as a condition of the grading permit.

#### C. Elevation and Floodproofing.

1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to one foot above the base flood elevation. Upon the completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor to be properly elevated. Such certification or verification shall be provided to the floodplain administrator.

2. New construction and substantial improvement of any residential structure in zone AO **or VO** shall have the lowest floor, including basement elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM, or at least two feet if no depth number is specified. Upon completion of the structure, the elevation of the lowest floor, including basement, shall be certified by a registered civil engineer or licensed land surveyor to be properly elevated. Such certification or verification shall be provided to the floodplain administrator.

3. New construction and substantial improvement of any nonresidential structure shall either be elevated in conformance with subsection (C)(1) or (2) of this section or, together with attendant utility and sanitary facilities, meet the following requirements:

- a. Be floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water;
- b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
- c. Be certified by a registered professional engineer or architect that the standards of this subsection are satisfied. Such certifications shall be provided to the floodplain administrator.

4. In all new construction and substantial improvements, fully enclosed areas below the lowest floor that are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. **Fully enclosed areas below the lowest floor that are subject to flooding are usable solely for parking of vehicles, building access, and storage.** Building plans meeting this requirement must either be certified by a registered civil engineer or architect or conform to the following minimum criteria:

- a. Either a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters; or
- b. Be certified by a registered professional engineer or architect to comply with a local floodproofing standard approved by the Federal Insurance Administration.

**EFFECTIVE DATE:** This Ordinance shall be effective thirty (30) days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code §36933.

**INTRODUCED AND FIRST READ** at a regular meeting of the City Council of the City of Solana Beach, California, on the 13th day of December, 2017; and

**THEREAFTER ADOPTED** at a regular meeting of the City Council of the City of Solana Beach, California, on the 10th day of January, 2018, by the following vote:

AYES: Councilmembers –  
NOES: Councilmembers –  
ABSTAIN: Councilmembers –  
ABSENT: Councilmembers –

\_\_\_\_\_  
GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA N. CANLAS, City Attorney

\_\_\_\_\_  
ANGELA IVEY, City Clerk





# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** January 10, 2018  
**ORIGINATING DEPT:** City Clerk's Department  
**SUBJECT:** **Council Boards, Committees, & Commissions Mid-Term Review**

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### **BACKGROUND:**

Council serves on a variety of outside Boards, Committees and Commissions. City Council Policy No. 2 (Attachment 1) establishes guidelines for the City Council to appoint Councilmembers to share in the Council's representation on these outside agencies. The policy states that appointments will be made for two-year terms, unless otherwise stated by the Boards/Commissions/Committee, resulting in a biennial review to address expiring terms and changes in members due to an election/appointment. However, this policy does not prevent Council from making changes when necessary, therefore, an annual report is submitted for review in alternate years to perform any desired modifications of appointments as well as to reaffirm all positions for those agencies that request annual confirmation.

This Staff Report is before Council to provide an opportunity to make any desired mid-term changes to the Council Boards, Committees & Commissions.

### *Regional Committee Terms*

Regional committee terms may be set pursuant to their respective bylaws. Council Policy No. 2 states that any change of an appointee at mid-term shall complete the existing two-year term for which they are appointed. Therefore, a mid-term change to an existing appointment will result in the appointed Councilmember completing the remainder of the term for which they have been appointed.

CITY COUNCIL ACTION:

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*Appointment Review*

City Council historically reviews appointments annually and makes changes as needed and for the following events:

<b>Events Triggering Appointment Review</b>	<b>Annually</b>	<b>Bi-annually</b>
Annual Mayoral Rotation: Reconfirm or assess the City Selection Committee appointment, if not the current Mayor.	x	
Agencies requiring annual confirmation of appointees (new, re-appointed, or no changes) i.e. SANDAG	x	
Reviewing any potential conflicts, changes in Councilmember schedules, or the desire to change current appointments.	x	
Term Expirations: Regional and Council Standing Committees (2 year terms)		x
General Election: Council reorganization of leaving and/or new members.		x

**DISCUSSION:**

*Regional Committees (Attachment 2)*

Attachment 2 contains the City Council's Regional Agencies which are appointed by Council. With the exception of the City Selection Committee, all Regional Boards/Committees/Commissions have a two-year term. Appointments were last made to these committees in January 2017, following an election cycle; therefore, these appointments do not technically expire until January 2019, following the next election cycle. Council may review appointments to these external agencies at this time and, if necessary, modify any current appointments. The Regional chart has been modified with each organization's updates following an annual verification process, which was completed prior to this report.

*City Selection Committee*

The City Selection Committee generally meets once a year, but may meet as often as needed. This Committee is responsible for the appointment of area city members to the San Diego County Regional Airport Authority (SDCRAA) and also is responsible for the nomination, selection and appointment of a city representative to a city office on the San Diego Local Agency Formation Commission (LAFCO).

The City Selection Committee typically expects the current Mayor of the city to be the appointed committee member. However, because the City of Solana Beach does not have an elected Mayor and rotates the mayor annually, past practice has been to appoint the League of California Cities Executive Committee appointee as the City's

Selection Committee member. The City has taken this approach for the following reasons:

1. The City's annual Mayoral Rotation triggers the potential appointee of this appointment every January.
2. City Selection Committee meetings are held immediately before the League of California Cities meetings and at the same location for the convenience of the attending elected officials.

While the City Selection Committee typically assumes a city's Mayor will be their appointee, their bylaws allow for any member of the body to be appointed along with notification of alternates. While the City of Solana Beach's League appointee may or may not be the City's current Mayor, the City has generally appointed the current League of California Cities appointee to the City Selection Committee for the above reasons. Since Solana Beach rotates Mayors, this designation should be re-examined annually.

#### *Stipend/Compensated Appointment Positions (identified on Attachment 2)*

Certain agencies' bylaws provide for a stipend paid for each meeting's attendance. Appointments made by a governing body of elected or appointed members to serve as an officer of a board for additional pay requires disclosure when the nominated member participates in the vote for their own appointment. Subsequently, pursuant to Fair Political Practices Commission (FPPC) Regulation 18705.5, appointments providing additional compensation or a stipend of \$250 or more, within a 12-month period, must be disclosed on the Form 806 (Agency Report of Public Official Appointments). The City complies with the requirements of the Form 806 which is monitored, updated, and posted by the City Clerk, including making updates promptly when triggered. This procedure allows the governing body to operate with the entire body present, rather than members recusing their participation for each individual appointment, which could risk the presence of a quorum needed to complete the appointment process.

#### *Standing Committees (Attachment 3)*

Council Standing Committee appointments are two-year expiring terms, thus, new appointments, or re-appointments, are not required at this time. The current appointments were made in January 2017 and can remain unless Council desires to make changes, in which case the appointment date will be updated to reflect the new two-year term.

All appointments must be approved by a Council majority vote. It is recommended that appointments be made for each of the 2 different groups (Regional and Standing). However, procedures for making the appointments within these groups may be made all in one vote (unless recusals are enacted) or votes may be taken on each individual Board/Commission/Committee, as well as each individual appointment position. Either way, the motion, motioners, and votes should be clearly communicated for the record.

**CEQA COMPLIANCE STATEMENT:** N/A

**FISCAL IMPACT:** N/A

**WORK PLAN:** N/A

**OPTIONS:**

- Approve Staff recommendation and review current appointments.
- Review and make any changes to existing positions.

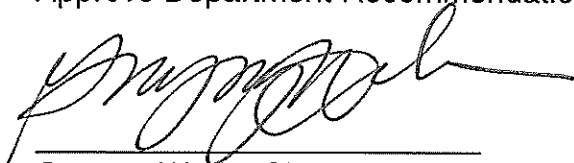
**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council:

1. Review the Regional Boards/Commissions/Committees.
  - a. Determine the City Selection Committee 2018 annual term appointment, if any changes.
  - b. Make alternate appointments, if necessary.
2. Review Council Standing Committees and make alternate appointments, if necessary.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



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Gregory Wade, City Manager

Attachments:

1. Council Policy No. 2
2. Council Regional (*external*) Committee Chart
3. Council Standing (*internal*) Committee Chart

<b>CITY OF SOLANA BEACH</b>	<b>Policy No. 2</b>
<b>COUNCIL POLICY</b>	Date Issued: January 19, 1988 Revised: January 23, 2008 by Resolution 2008-22
<b>GENERAL SUBJECT:</b> Boards, Commissions & Committees	
<b>SPECIFIC SUBJECT:</b> Appointments of Councilmembers to Boards, Commissions and Committees	

### **PURPOSE**

The purpose of this policy is to establish guidelines for appointment of Councilmembers to various Boards, Commissions and Committees.

- Council Regional Committees – not established by this Council.
- Council Standing Committees – established by the City Council.
- Council Ad Hoc Committees – established by the City Council.

### **POLICY**

#### I. Regional Boards, Commissions or Committees (Outside Agencies)

1. The City Council shall divide appointments of the various Boards, Commissions or Committees so that all Councilmembers share in the representation on outside agencies.
2. The appointment shall be made by vote of at least three members of the City Council.
3. Appointments shall be made only at regularly scheduled Council Meetings.
4. Appointments shall generally be for a term of two years unless the regulations of the body to which the appointment is made requires a different term.
5. Appointments will be reviewed bi-annually in even numbered years to address expiring terms. This cycle is tied into the November Election cycle in consideration of Council reorganization.
6. When appointments are required at a different time than the even numbered year cycle, the appointments will follow the two year term, unless it is changed by Council reorganizations.
7. These guidelines do not prevent Council from annual reviews and changes at any other time, as determined by Council.

#### II. Council Standing Committees

(City sponsored committees that are ongoing and permanent in nature).

1. Council shall make appointments to Standing Committees sharing

- the responsibility among the members.
2. The appointment shall be made by vote of a majority of the City Council.
3. Council shall make appointments to Standing Committees for a two year term.
4. Appointments will be reviewed bi-annually in even numbered years to address expiring terms. This cycle is tied into the November Election cycle in consideration of Council reorganization.
5. When appointments are required at a different time than the even numbered year cycle, the appointments will follow the two year term, unless it is changed by Council reorganizations.
6. These guidelines do not prevent Council from annual reviews and changes at any other time, as determined by Council.

### III. Council Ad Hoc Committees

(City sponsored committees that are temporary and are not intended to have a permanent existence).

1. Council shall make appointments to Ad Hoc Committees sharing the responsibility among the members.
2. The appointment shall be made by vote of a majority of the City Council.
3. The term of an appointment shall be for the duration of the Ad Hoc Committee, unless Council majority changes the appointment prior to the expiration of the committee.

### IV. A Councilmember may serve any number of terms.

V. If a Councilmember chooses to relinquish an appointment during a term, the alternate shall serve as the regular appointee for the remainder of the term, unless a new appointment is made by the Council majority.

VI. The City Clerk shall maintain a list of Boards, Commissions or Committees with the meeting time and locations. The City Clerk shall periodically advise the Council of vacancies on all Boards, Commission and Committees.



**Solana Beach City Council Regional Boards/Committees/Commissions** (external agencies)

Listing only includes those positions required to be appointed by the Solana Beach City Council

	Committee	General Regular Meeting Schedule	Meeting Location	Committee Contact	Primary Representative / Alternate	Current Term <i>(per Policy No. 2, unless otherwise required)</i>	Term <i>(Begins following each election cycle, replacements follow existing term)</i>	Stipend	Mailing Address	Notes
1	<b>City Selection Committee</b>	2nd Mon of Oct. 11:00am (or as needed)	Held at League of California Cities Mtgs or SANDAG Mtgs	Gliceria Magpayo Gliceria.Magpayo@sdcounty.ca.gov 619-531-4870	<b>Nichols</b> Edson (alternate)	Jan 2016 - Jan 2017 Jan 2016 - Jan 2017	Annual	N/A	County of San Diego 1600 Pacific Hwy, Room 402 San Diego, CA 92101	External agency
2	<b>CSA 17 County Service Area</b> <i>Form 700 original signature</i>	1st Tues · 4:00-6:00pm Quarterly (Feb, May, Aug, Nov)	Solana Beach City Hall	Nicole del Toro Cummings Nicole.deltorocummings@sdcounty.ca.gov 619-285-6476 or 619-285-6429	<b>Marshall</b> Nichols (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	c/o EMS, 6255 Mission Gorge Road San Diego, CA 92120 www.sdcounty.ca.gov/hhsa www.sandiegocountyems.com	External agency
3	<b>Escondido Creek Watershed Alliance (ECWA)</b>	No Reg. Mtgs Meets As Needed	Varies (provided on agenda)	Teresa Chase 760-632-4641 tchase@olivenhain.com	<b>Marshall / Staff</b> no alternate	Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	1966 Olivenhain Road Encinitas, CA 92024 http://escondidocreek.org/	External agency
4	<b>League Ca. Cities Exec. Committee (SD County division)</b>	2nd Mon 11:30am-1:00pm	Four Points Sheraton Hotel 8110 Aero Dr. San Diego, CA	Catherine Hill 619-295-8282 chill@cacities.org	<b>Nichols</b> Edson (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	P.O. Box 82081 San Diego, CA 92138 www.californiacities.org	External agency
5	<b>League Ca. Cities Legislative Subcommittee</b>	2nd Mon · 10:30-11:30am Quarterly when Mtg called by Chair	Four Points Sheraton Hotel 8110 Aero Dr. San Diego CA	Catherine Hill 619-295-8282 chill@cacities.org	<b>Nichols</b> Edson (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	P.O. Box 82081 San Diego, CA 92138 www.californiacities.org	External agency
6	<b>League of Ca. Cities Coastal Cities Issue Group</b>	No Reg. Mtgs As Needed	By conference call	Erin Evans-Fudem 916-658-8250 eevans-fudem@cacities.org Derek Dolfie 916-658-8212 ddolfie@cacities.org	<b>Nichols</b> Edson (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	1400 K Street Ste. 400 Sacramento, CA 95814 www.californiacities.org	External agency
7	<b>North County Dispatch JPA</b> <i>Form 700 original signature</i>	Last Thurs · 5:00pm Quarterly (Feb, May, Aug, Dec)	RSF Station #1 16936 El Fuego Rancho Santa Fe, CA	Lesli Wilson 858-756-6042 lwilson@sdrecc.org or Alicea Caccavo 858-756-6042 acaccavo@sdrecc.org or JPAAdmin@sdrecc.org	<b>Marshall</b> Edson (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	\$50	P.O. Box 1206 Rancho Santa Fe, CA 92067-1206 www.ncdjpa.org	External agency
8	<b>North County Transit District</b> <i>Form 700 original signature</i>	3rd Thurs 2:00pm	810 W. Mission Ave. Oceanside CA 92054	Anthony Flores, Clerk of Brd & Mgr of Administration 760-966-6553 aflores@nctd.org	<b>Edson</b> Nichols (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	\$150 / mtg not to exceed \$750 / month	810 W. Mission Ave. Oceanside, CA 92054 www.gonctd.com	External agency
9	<b>Regional Solid Waste Assoc.</b> <i>Form 700 copy</i>	1st Thurs 9:00am-10:30am Quarterly (Jan, April, July, Oct)	Fletcher Cove Community Center	James H. Eggart 714-415-1062 jeggart@wss-law.com Susan M. Morilla 714-415-1020 smorilla@wss-law.com	<b>Nichols</b> Hegenauer (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	\$150 up to a max of 3 mtgs per month	James H. Eggart, General Manager c/o Woodruff, Spradlin & Smart 555 Anton Boulevard, Ste. 1200 Costa Mesa, CA 92626 RSWA.org	External agency
10	<b>SANDAG Board of Directors</b> <i>Form 700 online filing</i>	Business (4th Fri) 9:00am-12:00pm Policy Board (2nd Fri) 10:00am-12:00pm	401 B Street, Suite 800 (7th floor Brd Rm) San Diego, CA 92101	Michelle Posada 619-699-1912 mpo@sandag.org Tessa Lero 619-699-1991 Tessa.Lero@sandag.org	<b>Zito</b> Edson (1st alternate) Nichols (2nd alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	\$150 Business \$150 Policy	401 B St. Ste. 800 San Diego, CA 92101 www.sandag.org	External agency
11	<b>SANDAG Shoreline Preservation Working Group</b> <i>Form 700 original signature</i>	1st Thurs · 11:30am Quarterly (Mar, June, Sept, Dec)	401 B Street, Suite 800 (7th floor Brd Rm) San Diego, CA 92101	Sarah Pierce (619) 699-7312 sarah.pierce@sandag.org Keith Greer (619) 699-7390 keith.greer@sandag.org	<b>Zito</b> Hegenauer (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	N/A	401 B St. Ste. 800 San Diego, CA 92101 www.sandag.org	External agency
12	<b>San Dieguito River Valley JPA</b> <i>(aka San Dieguito River Park)</i> <i>Form 700 original signature</i>	3rd Fri. 11:00am-12:30pm	County of San Diego 1600 Pacific Hwy Rm 302/303 San Diego, CA 92101	Brenda Miller 858-674-2275 x10 brenda@sdrp.org	<b>Hegenauer</b> Nichols (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	None Not authorized	18372 Sycamore Creek Rd. Escondido, CA 92025 www.sdrp.org	External agency
13	<b>San Elijo JPA</b> <i>Form 700 original signature</i>	2nd Mon 9:00am	2695 Manchester Ave. Cardiff by the Sea Encinitas	Jennifer Basco 760-753-6203 x71 bascoj@sejpa.org	<b>Marshall</b> <b>Zito</b> City Manager (alternate)	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019 By Laws	2 years (Unlimited Terms)	\$160	P.O. Box 1077 Cardiff by the Sea, CA 92007 sejpa.org	Joint Partnership
14	<b>22nd District Agricultural Association Community Relations</b>	2nd Tues 1:30pm	Del Mar Fairgrounds Admin. Conf. Rm (2nd floor) Jimmy Durante Blvd. Del Mar, CA	Donna O'Leary 858-792-4490 doleary@sdfair.com	<b>Marshall</b> <b>Edson</b>	Jan 2017 - Jan 2019 Jan 2017 - Jan 2019	2 years (Unlimited Terms)	None	22nd Agricultural Association District 2260 Jimmy Durante Blvd. Del Mar, CA 92014 www.delmarfairgrounds.com	External agency

Stipends are per meeting unless noted. If "alternate" is not indicated, both councilmembers will serve as equal "primary" members.

Revised 1-2-18

Maintained by City Clerk's Ofc.



**COUNCIL COMMITTEES** (Councilmembers Appointed to Solana Beach Council Committees and Citizen Commission)

**COMMITTEES - 2 year terms / On-Going Committees (Brown Act Compliant)**

**SUBJECT TO  
the "Brown Act "**

Standing Committee		Mtg Date/Time	Location	Contact	Primary Members	Appointed Date	Established Date
1	<b>Business Liaison</b> The purpose of the Business Liaison Committee is to coordinate and communicate with the Chamber of Commerce, Cedros Merchants Associations, and Village walk (Highway 101) Association on City/Business issues.	Regular Schedule Quarterly 3rd Mon 7:30am (Jan, Apr, July, Oct)	Solana Beach City Hall	City Mgr	<b>Zito Edson</b>	Jan 2017-2019 Jan 2017-2019	Reso 2005-146 10-26-2005
2	<b>Highway 101/Cedros Avenue Development Committee</b> This committee shall coordinate and communicate with the Highway 101 Village Walk Association regarding funding mechanisms to revitalize the Highway 101 corridor, address landscape issues in these areas, and review general business development.	As Needed	Solana Beach City Hall	City Mgr	<b>Edson Nichols</b>	Jan 2017-2019 Jan 2017-2019	Reso 2007-059 05-23-2007
3	<b>Fire Department Management Governance &amp; Organizational Evaluation</b> This committee explores and evaluates potential fire department governance and organizational structural opportunities, possibly with other participating entities involved in the Agreement for Cooperative (Fire) Management Services.	As Needed	Encinitas or TBD	City Mgr	<b>Edson Hegenauer</b>	Jan 2017-2019 Jan 2017-2019	Reso 2017-012 1-25-17
4	<b>Interstate-5 Construction</b> This committee shall gather community input and address community concerns regarding issues related to the California Transportation Department's proposed I-5 widening project.	As Needed	Solana Beach City Hall	City Mgr	<b>Edson Zito</b>	Jan 2017-2019 Jan 2017-2019	Reso 2007-179 11-28-2007
5	<b>Parks and Recreation</b> This committee shall have delegated authority to develop work plan tasks associated with the Parks and Recreation including the consideration of impact fees, long and short term objective, and the Parks and Recreation reserve account.	As Needed	Solana Beach City Hall	City Mgr	<b>Zito Nichols</b>	Jan 2017-2019 Jan 2017-2019	Reso 2011-023 02-09-2011
6	<b>Public Arts</b> This committee shall have a delegated authority to develop work plan tasks associating with public arts such as the Rail Trail, Public Art Master Plan and other public arts projects. The committee will also serve as liaison to the Public Arts Advisory Commission and the other art and cultural organizations.	As Needed	Solana Beach City Hall	City Mgr	<b>Marshall Hegenauer</b>	Jan 2017-2019 Jan 2017-2019	Reso 2005-146 10-26-2005
7	<b>School Relations</b> This committee shall handle relations with San Dieguito Union High School District, Solana Beach School District and Solana Beach and private schools located within the Solana Beach boundaries.	Regular Schedule Quarterly 1st Thurs 7:30 am (Mar, June, Sept, Dec)	Solana Beach City Hall	City Mgr	<b>Nichols Hegenauer</b>	Jan 2017-2019 Jan 2017-2019	Reso 2007-011 01-10-2007
8	<b>Solana Beach - Del Mar Relations</b> To discuss and address items of mutual interest of each City.	As Needed	TBD	City Mgr	<b>Nichols Zito</b>	Sept 2017-2019 Sept 2017-2019	Reso 2017-148 9-27-2017
Citizen Commission		Mtg Date/Time	Location	Contact	Primary Members	Appointed Date	Established Date
1	<b>Climate Action Commission</b> This committee shall assist in developing a Climate Action Plan, including updating the City's Greenhouse Emissions Inventory, setting reduction targets, implementing mitigation measures and performing periodic monitoring, verification and evaluations.	Regular Schedule Monthly 3rd Wed. 5:30pm	Solana Beach City Hall	City Mgr	<b>Hegenauer</b>	Jan 2017-2019	Reso 2015-127 11-04-2015

**SUBJECT TO the "Brown Act"**

\* Not required to establish a regular mtg schedule.  
\* If a regular mtg schedule is established, formally adopted, agendas must be posted 72 hrs prior to the regular meeting.  
\* Otherwise, non-regular mtgs shall meet required notice for special meetings (24 hrs. prior to meeting)  
\* All Standing Committee Mtgs are Open to the Public