



# CITY OF SOLANA BEACH

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

## AGENDA

### Joint SPECIAL Meeting

Wednesday, November 18, 2020 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
This meeting will be conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

#### PUBLIC MEETING VIEWING

❖ **Live Broadcast on Local Government Channel, Live web-streaming, and Archived videos online.**

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Spectrum(Time Warner)-Channel 24, and AT&T Universe 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 [Public Meetings](#) webpage.

❖ **Zoom Virtual Webinar (registration required).** Register early and Join the meeting at least 15 minutes prior to the start time. To register to view/listen to the meeting, go to this public participant link [https://us02web.zoom.us/webinar/register/WN\\_GDvxA1TsSruhM2ilw1HRsA](https://us02web.zoom.us/webinar/register/WN_GDvxA1TsSruhM2ilw1HRsA) for this meeting, follow the prompts to enter your name and email address. \* To receive a confirmation email allowing you to enter the meeting and the link to join, you will need to enter a valid email address. Choose Gallery View to see the presentations, when applicable.

#### MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC.

Due to the Executive Order to stay home, in person participation at City Council meetings will not be allowed at this time. In accordance with the Executive Order to stay home, there will be no members of the public in attendance at Council Meetings. Alternatives to in-person attendance for viewing and participating in City Council meetings are being provided under Public Participation.

#### AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is posted online [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org) Closed Session Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings.

#### PUBLIC PARTICIPATION

❖ Written correspondence regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at [EMAILGRP-CityClerksOfc@cosb.org](mailto:EMAILGRP-CityClerksOfc@cosb.org) with the Subject line including the meeting date. Please include the Agenda Item# and topic in your email. \* Correspondence received after the official posting of the agenda, but before 3:00 p.m. on meeting day, will be distributed to Council and made available to the public online along with the agenda posting. Written submittals will be added to the record and not read out loud. \* All submittals received before the start of the meeting will be made part of the record. The designated location for viewing public documents is the City's website [www.cityofsolanabeach.org](http://www.cityofsolanabeach.org)

❖ Zoom Webinar Public Comment Participation:

If you wish to provide a live verbal comment during the meeting, register for the Zoom Virtual (City Council Meeting) Webinar (registration required), register for the Zoom webinar as noted at the top, under Public Meeting/Zoom Webinar, and join the meeting using the "Join Webinar" link provided in your confirmation email.

1) EMAIL a Speaker Request by 3:00 p.m. (noon) on meeting day to [EMAILGRP-CityClerksOfc@cosb.org](mailto:EMAILGRP-CityClerksOfc@cosb.org)

- Subject line should include Request to Speak
- Content should include the Item/Topic you would like to speak on.

AND

2) REGISTER as a speaker on meeting day by 12:00 p.m. (noon) by going to:

[https://us02web.zoom.us/webinar/register/WN\\_GDvxA1TsSruhM2ilw1HRsA](https://us02web.zoom.us/webinar/register/WN_GDvxA1TsSruhM2ilw1HRsA)

and follow the required prompts to receive a confirmation email with your log in link.

- Join the meeting 30 minutes before the meeting begins by clicking on the link provided in your confirmation email.
- Speaking participants may use the computer's microphone and speakers to listen and communicate or they may also call into the meeting by dialing into the meeting with a telephone (this information will be provided

in your email confirmation). If you call in as well for better audio, mute your computer's speakers to eliminate feedback.

- Participants will be called upon from those who have submitted the Speaker Request, registered, and logged on as described above. You will be called on by name and unmuted by the meeting organizer and may provide comments for the allotted time. Allotted speaker times are listed under each [Agenda](#) section.
- Participants can use a computer microphone and speakers to listen and communicate or dial into the meeting with a telephone (if you log in and call in, mute one of the devices to eliminate feedback).
- Do not self-mute since you will be muted when you enter the meeting and organizers will unmute you to provide comments. All oral comments received prior to the close of the meeting will be made part of the meeting record.

### **SPECIAL ASSISTANCE NEEDED - 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 [EMAILGRP-CityClerksOfc@cosb.org](mailto:EMAILGRP-CityClerksOfc@cosb.org) 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 offline/muted.

<b>CITY COUNCILMEMBERS</b>		
Jewel Edson, <b>Mayor</b>		
Judy Hegenauer, <b>Deputy Mayor</b>		Kristi Becker, <b>Councilmember</b>
Kelly Harless, <b>Councilmember</b>		David A. Zito, <b>Councilmember</b>

**Gregory Wade**  
City Manager

**Johanna Canlas**  
City Attorney

**Angela Ivey**  
City Clerk

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### **SPEAKERS:**

See Public Participation on the first page of the Agenda for publication participation options.

### **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:**

### **FLAG SALUTE:**

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

Honoring Postal Workers

**PRESENTATIONS:** Ceremonial items that do not contain in-depth discussion and no action/direction.  
*None at the posting of this agenda*

### **APPROVAL OF AGENDA:**

### **ORAL COMMUNICATIONS:**

*Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.*

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 having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda.

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 speaker is THREE MINUTES (SBMC 2.04.190).

### **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.8.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

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 written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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 October 14, 2020 City Council meeting.

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

Recommendation: That the City Council

1. Ratify the list of demands for October 10, 2020 – October 23, 2020.

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

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#### **A.3. General Fund Budget Adjustments for Fiscal Year 2020/21. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020-2021 General Fund Adopted Budget.

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

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**A.4. Tosdal Law Firm Services Agreement to a New Professional Services Agreement (PSA) with Tosdal APC.** (File 0400-05)

Recommendation: That the City Council

1. Adopt **Resolution 2020-149** authorizing the City Manager to move SEA (Solana Energy Alliance) representation under Tosdal Law Firm PSA to a new PSA with Tosdal APC.

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

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**A.5. Fiscal Year (FY) 2019-20 Community Grant Recipient Financial Expenditure Report.** (File 0330-25)

Recommendation: That the City Council

1. Accept this report and grant extensions for the two awardees who were unable to expend all grant funds (La Colonia Community Foundation and Solana Beach Civic & Historical Society).

[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. Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric to Comply with California Public Utilities Commission D.18-05-022 Related to Community Choice Aggregation Financial Security Requirement.** (File 1040-45)

Recommendation: That the City Council

1. Adopt **Resolution 2020-147**:
  - a. Authorizing the opening of a new account with River City Bank for deposit of the \$147,000 Financial Security Requirement.
  - b. Authorizing the City Manager to execute an Escrow and Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric, subject to City Attorney approval.

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

[A.6. Staff Report Update 1](#)

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**A.7. Project Application Submittal to the California Department of Parks and Recreation for the Per Capita Grant Program.** (File 0740-00)

Recommendation: That the City Council

1. Adopt **Resolution 2020-095** authorizing the City Manager to submit a project application to the California Department of Parks and Recreation for the Per Capita Grant Program, in order to receive the \$186,471 the City is eligible to receive.

[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.*

**A.8. This item was removed from the agenda. Leave item blank.**

**B. PUBLIC HEARINGS: (B.1. – B.3.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

An applicant or designee(s) 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.

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.

**B.1. Public Hearing: Development Review Permit for a New Single-Story**

**Single-Family Residence and Attached One-Car Garage at 778 W. Solana Circle (Case # DRP20-007 Applicant: Philip Wilkinson).** (File 0600-40)

The proposed project meets the minimum objective requirements under the Park Del Mar Development regulations and the underlying SBMC, could be found to be consistent with the General Plan and could be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. 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 2020-135** conditionally approving a DRP to allow for the construction of a new 1,992 square-foot one-story, single-family residence and garage at 778 West Solana Circle.

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

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## **B.2. Community Development Block Grant Funds (Fiscal Year 2021/22) Americans with Disabilities Act (ADA) Pedestrian Ramp Improvements.**

(File 0390-32)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt **Resolution 2020-144**:
  - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
  - b. Approving the list of public street ADA ramp locations.
  - c. Requesting FY 2021/22 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections listed in Attachment 1, Exhibit A.
  - d. Finding that all of FY 2021/22 CDBG funds, presently estimated at a total of \$63,425, are designated to be used for ADA pedestrian ramp improvements.
  - e. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.

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

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## **B.3. Public Hearing: Updating the City's User Fees and Charges Schedule.** (File 0390-23)

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. Adopt **Resolution 2020-141** updating the Schedule of Fees and Charges effective January 1, 2021 which:
  - a. Includes a change to part a. of the Rounding of Fees to include "(unless it is as part of a multiplier charge. i.e. x.xx per each additional x)", and
  - b. Approves prior Council direction to waive Business Certificate Renewal fees for Calendar Year 2020 and charging the fiscal year 2018 rate of \$17 for Calendar year 2020 Short Term Vacation Rental Permit renewals.
3. Provide specific direction on the rate at which Business Certificate Renewals and Short-Term Vacation Rental Permit Renewals are charged.

### [Item B.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.*

## C. STAFF REPORTS: (C.1. – C.2.)

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

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### C.1. Santa Fe Christian Lighting Temporary Use Permit (TUP) Application and COVID TUP Policy Extension. (File 0600-00)

Recommendation: That the City Council

1. Conditionally approve the Santa Fe Christian Temporary Use Permit application.
2. Adopt **Resolution 2020-148** authorizing extension of the Temporary Use Permit Policy through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is earliest.

#### [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.*

### C.2. City Hall and Fire Station Repair Project – Update and Change Order No. 2.

Recommendation: That the City Council

1. Adopt **Resolution 2020-142**:
  - a. Authorizing the City Manager to execute Change Order No. 2 to the construction contract with War Rhino, Inc., in the amount of \$70,000, for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.
  - b. Approving an appropriation of \$53,000 from the General Fund/Undesignated Reserves to the Capital Improvement Program for the City Hall and Fire Station deferred maintenance project.
  - c. Authorizing the City Manager to execute change orders up to the amount of the revised contingency of \$95,000.
  - d. Authorizing the City Treasurer to amend the FY 2020/21 Adopted Budget accordingly.

#### [Item C.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.*

## WORK PLAN COMMENTS:

*Adopted June 12, 2019*

## 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 “City” at the next regular meeting of the legislative body.

**COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

**REGIONAL COMMITTEES: (outside agencies, appointed by this Council)**

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

**STANDING COMMITTEES: (All Primary Members) (Permanent Committees)**

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

**ADJOURN:**

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**Next Regularly Scheduled Meeting is December 9, 2020**

*Always refer the City’s website Event Calendar for Special Meetings or an updated schedule.*

*Or Contact City Hall 858-720-2400*

[www.cityofsolanabeach.org](http://www.cityofsolanabeach.org)

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**AFFIDAVIT OF POSTING**



I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the November 18, 2020 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 November 10, 2020 at 3:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., November 18, 2020, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk \* City of Solana Beach, CA

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### **CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

*Regularly Scheduled, or Special Meetings that have been announced, are posted on each Citizen Commission's Agenda webpage. See the [Citizen Commission's Agenda webpages](#) or the City's Events [Calendar](#) for updates.*

- **Budget & Finance Commission**
- **Climate Action Commission**
- **Parks & Recreation Commission**
- **Public Arts Commission**
- **View Assessment Commission**



# CITY OF SOLANA BEACH

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

## MINUTES

Joint – Closed Session

Wednesday, October 14, 2020, 2020 5:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
Pursuant to Governor Newsom’s Executive Order N-29-20, City Council and staff participated in this meeting via teleconference.

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

### CITY COUNCILMEMBERS

Jewel Edson, **Mayor**

Judy Hegenauer, **Deputy Mayor**

Kristi Becker, **Councilmember**

Kelly Harless, **Councilmember**

David A. Zito, **Councilmember**

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

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

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

Absent: None

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

**PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY):** None

### CLOSED SESSION:

#### **1. CONFERENCE WITH LEGAL COUNSEL – INITIATION OF LITIGATION**

Pursuant to Government Code Section 54956.9(d)(4)

One (1) Potential case(s).

#### **2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

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

One (1) Potential case(s).

#### **3. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

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

- Voice of San Diego v. City of Solana Beach & Does (Case No. 37-2020-00024389-CU-WM-NC)
- The Affordable Housing Coalition of San Diego County v. Sandoval (Case No. 34-2012-80001158-CU-WM-GDS)
- Coronado, Imperial Beach, Lemon Grove & Solana Beach v. SANDAG, et al (Case No. 37-2020-00033974-CU-MC-CTL)

**ACTION:** No reportable action.

### ADJOURN:

Mayor Edson adjourned the meeting at 6:02 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 14, 2020 \* 6:00 p.m.

Teleconference Location Only-City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California  
This meeting will be conducted in accordance with Governor Newsom's Executive Order N-29-20 related to the COVID-19 virus.

### CITY COUNCILMEMBERS

Jewel Edson, **Mayor**

Judy Hegenauer, **Deputy Mayor**

Kristi Becker, **Councilmember**

Kelly Harless, **Councilmember**

David A. Zito, **Councilmember**

Gregory Wade  
City Manager

Johanna Canlas  
City Attorney

Angela Ivey  
City Clerk

### CALL TO ORDER AND ROLL CALL:

Mayor Edson called the meeting to order at 6:10 p.m.

Present: Jewel Edson, Judy Hegenauer, Kristi Becker, Kelly Harless, David A. Zito

Absent: None

Also: Greg Wade, City Manager

Present: Johanna Canlas, City Attorney

Angela Ivey, City Clerk

Dan King, Assistant City Manager

Mo Sammak, City Engineer/Public Works Dir.

Rodney Greek, Interim Finance Dir.

Joseph Lim, Community Development Dir.

**CLOSED SESSION REPORT:** None

**FLAG SALUTE:**

### APPROVAL OF AGENDA:

**Motion:** Moved by Councilmember Zito and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

### ORAL COMMUNICATIONS:

Barbara Gordon spoke in opposition of Measure S on the November ballot.

Peggy Walker spoke in opposition of the Measure and said that recent signs from the proponents had the City's name spelled wrong, her support for the school board passing a resolution against the measure, and the increase in plants that Measure S would allow.

Joe Behrmann spoke about newly acquired land next to La Colonia Park, consideration for a community garden to offset carbon in the City and its benefit to the community for food

source, garden walk, and education.

Amy Byran spoke in favor of an edible food garden, her work as a garden coordinator at a local school, and how the simple maintenance would be required.

### **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.5.)**

**Note to Public:** Refer to [Public Participation](#) for information on how to submit public comment.

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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 City Council meetings held February 27, 2019, March 27, 2019, July 14, 2020 and August 26, 2020.

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 Harless and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for September 5, 2020 – September 25, 2020.

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

**Motion:** Moved by Councilmember Harless and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

#### **A.3. General Fund Adopted Budget Changes for Fiscal Year 2020/21. (File 0330-30)**

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2020/2021 General Fund Adopted Budget.

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

**Motion:** Moved by Councilmember Harless and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.4. Community Development Block Grant Cooperative Agreement Amendment.** (File 0390-32)

Recommendation: That the City Council

1. Adopt **Resolution 2020-130**, authorizing the City Manager to execute the Cooperative Agreement Amendment on behalf of the City, as well as authorizing the City Manager to execute future amendments to the Community Development Block Grant (CDBG) Program Agreement.

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

**Motion:** Moved by Councilmember Harless and second by Deputy Mayor Hegenauer to approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**A.5. High Speed Internet Services at City Facilities - Phase I and a Three-Year Agreement with Ting Fiber, Inc.** (File 1000-50)

Recommendation: That the City Council

1. Adopt **Resolution 2020-131** which states
  - a. The RFP is split into two phases. Phase I shall be the provision of high-speed internet services to City facilities. Phase II shall be the Smart City Technology component.
  - b. Ting Fiber, Inc. has demonstrated competence and the professional qualifications necessary for satisfactory performance of the services required by the City for Phase I and Phase II.and
2. Authorizes the City Manager to execute an Agreement for High Speed Internet Services for Phase I with an initial three-year term, at an amount that shall not exceed \$116,964, with Ting Fiber, Inc. with two optional one-year extensions, at the City Manager's discretion, that would provide high speed internet services at City Hall first and other City facilities according to the City's priorities, consistent with the RFP and in a form acceptable to the City Attorney.
3. Authorizes the City Manager to negotiate an agreement with Ting Fiber, Inc. for Phase II at a fair and reasonable price and to return to City Council with the proposed agreement and to request authorization to implement Phase II. There is no commitment with respect to Phase II at this time.

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

**[A.5. Staff Report Update 1](#)**

*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 Harless and second by Deputy Mayor Hegenauer to

approve. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

## **B. PUBLIC HEARING: (B.1.)**

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

An applicant or designee(s) 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.

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.

### **B.1. *TransNet* Local Street Improvement Program Amendment of Projects for Fiscal Years 2021 through 2025.** (File 0840-30)

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. Consider adoption of **Resolution 2020-132** approving the amendment to the *TransNet* Local Street Improvement Program list of projects for Fiscal Years 2021 through 2025, to increase *TransNet* Carry Over funding in RTIP Project SB18, Pavement Maintenance.

#### [Item B.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.*

Mayor Edson opened the public hearing.

Council disclosures.

Greg Wade, City Manager, introduced the item.

**Motion:** Moved by Mayor Edson and second by Councilmember Zito to close the public hearing. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

**Motion:** Moved by Councilmember Zito and second by Councilmember Becker to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.

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

**Note to Public: Refer to [Public Participation](#) for information on how to submit public comment.**

Any member of the public may address the City Council on an item of concern by submitting

written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

**C.1. Marine Safety Center Preliminary Design Improvements.** (File 0730-30)

Recommendation: That the City Council

1. Receive the report and provide input and direction on the design options for improvements to the Marine Safety Center.

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

[C.1. Staff Report Update 1](#)

*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 presented a PowerPoint (on file).

John Dominey, Domustudio, continued the PowerPoint (on file) reviewing the design.

Council and Mr. Dominey discussed building on the grade rather than into the bluff, whether ADA compliance was necessary for the second story since there would be no public facilities above the ground floor, use of second floor storage, light, copper roof material, the minor cost increase for a curved roof, floating stairs, a lower tower, the ability to phase in an ADA ramp in the future, the elevator to the beach was not practical, solar panels/Tesla solar roof, a fire station pole, bluff stability/support, the color scheme, sun climate control and roof overhang, and the Structure Development Permit process.

Captain Shook said the roof preference was reflected in the presentation, there was a potential drainage issue by the door, and that a lower tower was necessary if there were no stairs or ramp, but that both would be ideal.

Council discussed preferences to proceed with a lower tower design, delay the ramp and stairs, delay specific direction on roof options but obtain more information on the costs and solar voltaic capabilities, and to proceed with the building placement and size as presented.

Council and Staff discussed temporary lifeguard facilities, use of story poles, funding, and that next steps included completing this phase of the previous professional services agreement and providing a preliminary cost estimate prior to the construction drawing phase that was currently budgeted at \$450,000.

**C.2. CARES Act Community Development Block Grant Coronavirus (CDBG-CV) Funding Availability and Rental Assistance Program Guidelines.** (File 0390-32)

Recommendation: That the City Council

1. Receive this report, discuss and provide direction to Staff regarding the

Rental Assistance Program and any other use of available CDBG-CV funding.

[Item C.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.*

Greg Wade, City Manager, introduced the item.

Rimiga Viskanta, Sr. Management Analyst, presented a PowerPoint (on file).

Council and Staff discussed holding food distribution events, coordination with the San Diego Food Bank with community fundraising, rental assistance program, the Community Resource Center administering the program, eviction protection, low income threshold for applicants, establishing priorities (i.e. lunch program children, other minor children, etc.), a Council subcommittee, and a maximum grant amount of \$2,500.

Council directed that \$10,000 of the CDBG-CV funding be allocated for a community food bank with community fundraising in coordination with the San Diego Food Bank at Thanksgiving and, if there were remaining funds, to hold another event during Christmas time, that the remaining funds of \$122,451, less administrative costs, be provided for rental assistance in coordination with the Community Resource Center.

Councilmember Zito and Deputy Mayor Hegenauer volunteered to serve on a subcommittee for a timely response for distribution inquiries.

**C.3. Permanent Art Acquisition & Installation: *Fleur de Lumiere*.** (File 0910-45)

Recommendation: That the City Council

1. Adopt **Resolution 2020-133** authorizing the purchase of *Fleur de Lumiere* as a permanent art piece in the City's art collection in the amount of ten thousand dollars (\$10,000).
2. Appropriate \$10,000 to the Improvements expenditure account from the Public Arts Reserve in the TOT Coastal Visitors Fund.

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

[Item C.3. Supplemental Docs \(Updated 10-12 at 210pm\)](#)

*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.

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

**Motion:** Moved by Deputy Mayor Hegenauer and second by Mayor Edson to approve Staff recommendation. **Approved 5/0.** Ayes: Edson, Hegenauer, Becker, Harless, and Zito. Noes: None. Motion carried unanimously.



**COMPENSATION & REIMBURSEMENT DISCLOSURE: None**

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 "City" at the next regular meeting of the legislative body.

**COUNCIL COMMITTEE REPORTS:** [Council Committees](#)

**REGIONAL COMMITTEES: (outside agencies, appointed by this Council)**

**STANDING COMMITTEES: (All Primary Members) (*Permanent Committees*)**

**ADJOURN:**

Mayor Edson adjourned the meeting at 8:47 p.m.

Angela Ivey, City Clerk

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



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**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- 10/10/20 through 10/23/20

Check Register-Disbursement Fund (Attachment 1)		\$	326,087.77
Net Payroll	October 16, 2020		243,526.16
Federal & State Taxes	October 16, 2020		73,538.01
PERS Retirement (EFT)	October 16, 2020		46,983.75

TOTAL		\$	<u>690,135.69</u>
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## **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 October 10, 2020 through October 23, 2020 reflects total expenditures of \$690,135.69 from various City funding sources.

## **WORK PLAN:**

N/A

CITY COUNCIL ACTION: \_\_\_\_\_  
 \_\_\_\_\_

**OPTIONS:**

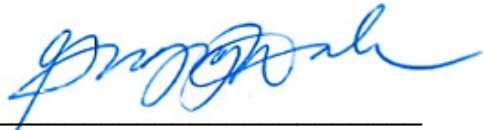
- Ratify the register of demands.
- Do not ratify and provide direction.

**DEPARTMENT RECOMMENDATION:**

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

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



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Gregory Wade, City Manager

Attachments:

1. Check Register – Disbursement Fund

PENTAMATION  
 DATE: 10/27/2020  
 TIME: 16:35:47

CITY OF SOLANA BEACH, CA  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 1  
 ACCTPA21

SELECTION CRITERIA: transact.gl\_cash='1011' and transact.ck\_date between '20201010 00:00:00.000' and '20201023 00:00:00.000'  
 ACCOUNTING PERIOD: 4/21

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	98048	10/15/20	4706	24 HOUR ELEVATOR, INC	00165006570	ELVTR MAINT-OCT	0.00	168.00
1011	98049	10/15/20	1135	AFFORDABLE PIPELINE SERV	00165006520	H-STORM DRAIN MAINT	0.00	1,140.00
1011	98049	10/15/20	1135	AFFORDABLE PIPELINE SERV	00165006520	P-STORM DRAIN MAINT	0.00	4,465.00
TOTAL CHECK							0.00	5,605.00
1011	98050	10/15/20	1977	AMERICAN SOCIETY OF CIVI	00165006510	MEMBERSHIP-SAMMAK	0.00	295.00
1011	98050	10/15/20	1977	AMERICAN SOCIETY OF CIVI	00165006510	MEMBERSHIP-BORROMEO	0.00	295.00
TOTAL CHECK							0.00	590.00
1011	98051	10/15/20	5029	BILL SMITH FOREIGN CAR S	00165006530	F150-OIL/FILTER	0.00	46.37
1011	98051	10/15/20	5029	BILL SMITH FOREIGN CAR S	00165006560	CHVY COLRDO-BATTERY	0.00	174.36
TOTAL CHECK							0.00	220.73
1011	98052	10/15/20	5822	CALIFORNIA OFFICE CLEANI	00165006570	JANITORIAL SVC-SEP	0.00	8,000.00
1011	98052	10/15/20	5822	CALIFORNIA OFFICE CLEANI	00165006570	COVID-19 JNTRL SVC-09	0.00	2,304.00
TOTAL CHECK							0.00	10,304.00
1011	98053	10/15/20	5051	CINTAS CORPORATION NO. 2	00165006570	FIRST AID SUPPLIES-PW	0.00	155.73
1011	98053	10/15/20	5051	CINTAS CORPORATION NO. 2	00165006570	FIRST AID SUPPLIES-CH	0.00	228.55
TOTAL CHECK							0.00	384.28
1011	98054	10/15/20	2631	CLEAN STREET	00165006550	STREET SWP-SEP	0.00	3,431.28
1011	98055	10/15/20	127	COX COMMUNICATIONS INC	00150005450	CTYINTRNT 7/19-8/18	0.00	586.78
1011	98055	10/15/20	127	COX COMMUNICATIONS INC	00150005450	CTYINTRNT 8/19-9/18	0.00	586.80
1011	98055	10/15/20	127	COX COMMUNICATIONS INC	00150005450	CTYINTRNT 08/19-09/18	0.00	582.88
TOTAL CHECK							0.00	1,756.46
1011	98056	10/15/20	5933	ENCINITAS BEE COMPANY	00165006560	BEE REMOVAL-LC	0.00	400.00
1011	98057	10/15/20	94	ESGIL CORPORATION	00155005560	BLDG PRMT 09/21-09/25	0.00	12,227.67
1011	98058	10/15/20	3344	FILIPINO PRESS	00150005150	ELECTN NOTICE-TAGALOG	0.00	100.00
1011	98059	10/15/20	11	ICMA RETIREMENT TRUST-45	001	ICMA PD 10/16/20	0.00	11,842.60
1011	98060	10/15/20	3859	ICMA RETIREMENT TRUST-RH	001	ICMA PD 10/16/20	0.00	2,080.24
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	8.86
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	8.86
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	8.86
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	12.40
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	12.40
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	12.40
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	12.41
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	12.41
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	12.41
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	19.49
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	19.49
1011	98061	10/15/20	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	19.49
TOTAL CHECK							0.00	159.48

PENTAMATION  
 DATE: 10/27/2020  
 TIME: 16:35:47

CITY OF SOLANA BEACH, CA  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2  
 ACCTPA21

SELECTION CRITERIA: transact.gl\_cash='1011' and transact.ck\_date between '20201010 00:00:00.000' and '20201023 00:00:00.000'  
 ACCOUNTING PERIOD: 4/21

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	98062	10/15/20	4522	NISSHO OF CALIFORNIA	00165006530	STREET LNDS CP SVC-AUG	0.00	1,827.00
1011	98062	10/15/20	4522	NISSHO OF CALIFORNIA	00165006560	PRKS LNDS CP SVC-AUG	0.00	11,625.14
1011	98062	10/15/20	4522	NISSHO OF CALIFORNIA	00165006570	PUBFAC LNDS CP SVC-AUG	0.00	2,509.06
1011	98062	10/15/20	4522	NISSHO OF CALIFORNIA	20375007510	MID#33 LNDS CP SVC-AUG	0.00	2,678.26
1011	98062	10/15/20	4522	NISSHO OF CALIFORNIA	20875007580	CRT LNDS CP SVC-AUG	0.00	3,396.52
TOTAL CHECK							0.00	22,035.98
1011	98063	10/15/20	66	NORTH COUNTY DISPATCH (J	00160006120	FY21 DISPATCH SVC Q1	0.00	36,517.21
1011	98063	10/15/20	66	NORTH COUNTY DISPATCH (J	00160006120	FY21 MDC MAINTENANCE	0.00	1,972.16
1011	98063	10/15/20	66	NORTH COUNTY DISPATCH (J	13560006120	FY21 MDC CPTL RPLCMNT	0.00	6,300.00
1011	98063	10/15/20	66	NORTH COUNTY DISPATCH (J	00160006120	FY21 N ZONE MED DIR CS	0.00	3,526.40
TOTAL CHECK							0.00	48,315.77
1011	98064	10/15/20	1377	ONE DAY SIGNS	00165006560	PLAYGROUND SIGNS	0.00	560.30
1011	98065	10/15/20	2485	SAN DIEGO CNTY VECTOR CN	00165006530	FY20/21 VECTOR CONTRL	0.00	140.19
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979017 0902-100120	0.00	59.55
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979018 0902-100120	0.00	97.25
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979021 0902-100120	0.00	300.13
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	00165006560	005506018 0902-100120	0.00	318.98
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979019 0902-100120	0.00	383.77
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979015 0902-100120	0.00	515.02
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979025 0902-100120	0.00	635.66
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979024 0902-100120	0.00	741.22
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979016 0902-100120	0.00	760.07
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979020 0902-100120	0.00	797.77
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979014 0902-100120	0.00	816.62
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979026 0902-100120	0.00	884.48
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979023 0902-100120	0.00	967.42
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20875007580	005506020 0902-100120	0.00	1,036.51
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979022 0902-100120	0.00	1,042.82
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	00165006560	005506019 0902-100120	0.00	1,178.54
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	50900007700	005979008 0801-100120	0.00	82.85
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979012 0801-100120	0.00	117.34
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	00165006560	005979005 0801-100120	0.00	412.65
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979011 0801-100120	0.00	667.24
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979010 0801-100120	0.00	758.89
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979009 0801-100120	0.00	1,054.55
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979007 0801-100120	0.00	1,305.06
1011	98067	10/15/20	141	SANTA FE IRRIGATION DIST	20475007520	005979006 0801-100120	0.00	1,909.95
TOTAL CHECK							0.00	16,844.34
1011	98068	10/15/20	156	SHARP REES-STEALY MEDICA	00150005400	POST ACCDNT SCREEN	0.00	45.00
1011	98069	10/15/20	5932	SOUTHERN CALIFORNIA RENT	001	RFND-DUPLCT TOT PYMNT	0.00	331.41
1011	98070	10/15/20	2894	TIENG VIET SAN DIEGO NEW	00150005150	ELECTN NOTICE-VIET	0.00	50.00
1011	98071	10/15/20	4534	TRAFFIC SUPPLY, INC	00165006540	RED PAINT/MARKNG PNT	0.00	629.67

PENTAMATION  
 DATE: 10/27/2020  
 TIME: 16:35:47

CITY OF SOLANA BEACH, CA  
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 3  
 ACCTPA21

SELECTION CRITERIA: transact.gl\_cash='1011' and transact.ck\_date between '20201010 00:00:00.000' and '20201023 00:00:00.000'  
 ACCOUNTING PERIOD: 4/21

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	98072	10/15/20	2759	TRISTAR RISK MANAGEMENT	12550005465	FY21 CLAIMS SRVC-Q3	0.00	405.60
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	00150005300	FY21 ANNUAL MAINTENANC	0.00	81,475.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-AUG	0.00	1,280.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-AUG	0.00	1,920.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-AUG	0.00	2,560.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-AUG	0.00	3,200.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-JUL	0.00	3,840.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	IMPLMNTN-NON-HR-AUG	0.00	3,840.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	IMPLMNTN-HR-AUG	0.00	1,280.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	IMPLMNTN-HR-SEP	0.00	1,280.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	IMPLMNTN-HR-AUG	0.00	1,280.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	PROJ MANMNT-AUG	0.00	192.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	PROJ MANMNT-JUL	0.00	192.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	PROJ MANMNT-AUG	0.00	384.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	PROJ MANMNT-JUL	0.00	448.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	PROJ MANMNT-AUG	0.00	448.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005200	PROJ MANMNT-JUL	0.00	576.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	PROJ MANMNT-AUG	0.00	896.00
1011	98073	10/15/20	5890	TYLER TECHNOLOGIES, INC.	13550005300	PROJ MANMNT-JUL	0.00	1,344.00
TOTAL CHECK							0.00	106,435.00
1011	98074	10/15/20	40	UNDERGROUND SVC ALERT OF	00165006510	CA ST REGLRTY-SEP	0.00	36.45
1011	98074	10/15/20	40	UNDERGROUND SVC ALERT OF	00165006510	DIG ALERT-SEP	0.00	102.40
TOTAL CHECK							0.00	138.85
1011	98075	10/15/20	30	VERIZON WIRELESS-SD	00160006140	CODES CELL 8/24-9/23	0.00	141.33
1011	98076	10/15/20	178	VISTA PAINT CORPORATION	00165006570	FLAT WHITE-CH/OFFICE	0.00	162.69
1011	98077	10/15/20	3723	WAGeworks	00150005400	FSA ADMIN-SEP	0.00	123.50
1011	98078	10/15/20	4844	WARWICK GROUP CONSULTANT	45099266190	9926.21 PROF SVC-SEP	0.00	4,945.00
1011	98079	10/22/20	1135	AFFORDABLE PIPELINE SERV	50900007700	I-SEWER CLEANING	0.00	425.00
1011	98080	10/22/20	5029	BILL SMITH FOREIGN CAR S	00160006170	FRNTR-BATTERY	0.00	150.80
1011	98081	10/22/20	5521	CA DEPARTMENT OF TAX AND	550	Q1 ENERGY SRCHRG RTN	0.00	4,407.74
1011	98082	10/22/20	5934	CAL EXPRESS	00150005150	DLVR NOMNTN PPRS	0.00	80.00
1011	98083	10/22/20	101	CAMEO PAPER & JANITORIAL	00160006170	LINERS	0.00	50.17
1011	98084	10/22/20	5171	CORELOGIC SOLUTIONS, LLC	00155005550	PROPERTY PRO DATA-OCT	0.00	96.83
1011	98085	10/22/20	1964	CSAC EXCESS INSURANCE AU	00150005400	FY20/21 EAP OCT-DEC	0.00	405.60
1011	98086	10/22/20	2165	CULLIGAN OF SAN DIEGO	00160006170	DRNKNG WTR SVC-OCT	0.00	45.56
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006560	RFND-ANCHR	0.00	-204.73
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006570	DROP IN ANCHOR	0.00	2.42

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006530	WINDSHIELD FLUID	0.00	7.35
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006570	PAINT/GRID	0.00	19.28
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006560	HOSE BIB/HOSE ENDS	0.00	25.28
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006570	BATTERIES	0.00	26.38
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006530	BOLTS	0.00	27.93
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	50900007700	GLOVES	0.00	37.04
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006570	DRILL BIT/CLST KIT	0.00	74.96
1011	98087	10/22/20	134	DIXIELINE LUMBER CO INC	00165006560	DRILL BIT/BOLT/ANCHR	0.00	228.09
TOTAL CHECK							0.00	244.00
1011	98088	10/22/20	372	EMPLOYMENT DEVELOPMENT D	00150005400	SUI PE 06/30/20	0.00	4,704.13
1011	98089	10/22/20	5610	ERGOSTOP INC.	12050005460	WORKSTATION REVIEW	0.00	120.00
1011	98090	10/22/20	5884	IMEG CORP	45993976510	9397.00 PROF SVC-SEP	0.00	6,900.00
1011	98091	10/22/20	2287	KOPPEL & GRUBER PUBLIC F	20875007580	CRT ADMIN JUL-SEP	0.00	332.09
1011	98091	10/22/20	2287	KOPPEL & GRUBER PUBLIC F	21100007600	ST LGHT ADMIN JUL-SEP	0.00	625.84
TOTAL CHECK							0.00	957.93
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-5/26&6/2	0.00	63.52
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-5/13&19	0.00	73.56
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-9/01&08	0.00	74.21
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-6/24&7/1	0.00	75.81
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-8/04&11	0.00	85.20
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-7/21&28	0.00	86.80
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-9/15&22	0.00	102.62
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-7/07&14	0.00	106.18
1011	98092	10/22/20	5407	PJ CASTORENA, INC.	55000007750	CCA WKLY ENR-8/18&25	0.00	107.14
TOTAL CHECK							0.00	775.04
1011	98093	10/22/20	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	8.86
1011	98093	10/22/20	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	12.40
1011	98093	10/22/20	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	12.41
1011	98093	10/22/20	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	19.49
TOTAL CHECK							0.00	53.16
1011	98094	10/22/20	438	MUNICIPAL MANAGEMT ASSOC	00170007100	MMASC MMBRSH- MOSHKI	0.00	90.00
1011	98095	10/22/20	4522	NISSHO OF CALIFORNIA	20875007580	CRT LNDSCP SVC-SEP	0.00	3,396.52
1011	98095	10/22/20	4522	NISSHO OF CALIFORNIA	00165006530	STREET LNDSCP SVC-SEP	0.00	1,827.00
1011	98095	10/22/20	4522	NISSHO OF CALIFORNIA	00165006560	PRKS LNDSCP SVC-SEP	0.00	11,625.14
1011	98095	10/22/20	4522	NISSHO OF CALIFORNIA	00165006570	PUBFAC LNDSCP SVC-SEP	0.00	2,509.06
1011	98095	10/22/20	4522	NISSHO OF CALIFORNIA	20375007510	MID#33 LNDSCP SVC-SEP	0.00	2,678.26
TOTAL CHECK							0.00	22,035.98
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-PW-SEP	0.00	5.00
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-LC-SEP	0.00	8.20
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-PW-SEP	0.00	8.20
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-CH-SEP	0.00	31.00
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-CH-SEP	0.00	31.96
1011	98096	10/22/20	5608	PALOMAR MTN PREMIUM SPRI	00165006570	DRINKING WATER-CH-SEP	0.00	31.96

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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	116.32
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00160006130	ANIMAL REMOVAL-SEP	0.00	300.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00160006130	ANIMAL REMOVAL-SEP	0.00	145.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-FC	0.00	32.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-LC	0.00	32.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-PW	0.00	32.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-MS	0.00	32.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-FS	0.00	37.00
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-SEP-CH	0.00	49.50
1011	98097	10/22/20	5361	HABITAT PROTECTION, INC	00165006570	AS ND PST CNTL-SEP-MS	0.00	27.00
TOTAL CHECK							0.00	686.50
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	50900007700	011692000 0801-090120	0.00	-717.24
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006520	011695000 0801-090120	0.00	-239.08
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006530	005506014 0801-090120	0.00	-124.95
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006550	005506014 0801-090120	0.00	-73.39
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006550	011695000 0801-090120	0.00	73.39
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006530	011695000 0801-090120	0.00	124.95
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006520	005506014 0801-090120	0.00	239.08
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	50900007700	005506014 0801-090120	0.00	717.24
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006530	011695000 0902-100120	0.00	124.95
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006550	011695000 0902-100120	0.00	73.39
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	50900007700	005506014 0902-100120	0.00	862.68
1011	98098	10/22/20	141	SANTA FE IRRIGATION DIST	00165006520	005506014 0902-100120	0.00	287.56
TOTAL CHECK							0.00	1,348.58
1011	98099	10/22/20	3909	SECTRAN SECURITY INC	12050005460	COURIER FUEL-SEP	0.00	15.25
1011	98099	10/22/20	3909	SECTRAN SECURITY INC	12050005460	COURIER SVC-SEP	0.00	113.37
TOTAL CHECK							0.00	128.62
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006540	TRAFFIC SGNL MNT-JUL	0.00	1,087.36
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006540	TRAFFIC SGNL MNT-AUG	0.00	1,087.36
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006540	TRAFFIC CALL OUT-JUL	0.00	240.16
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006540	TRAFFIC CALL OUT-AUG	0.00	2,193.98
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	21100007600	ST LIGHT REPAIR-JUL	0.00	1,174.04
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	21100007600	ST LIGHT REPAIR-AUG	0.00	1,506.96
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006530	MARKOUTS-JUL	0.00	2,835.76
1011	98100	10/22/20	5725	SIEMENS MOBILITY, INC.	00165006530	MARKOUTS-AUG	0.00	3,038.30
TOTAL CHECK							0.00	13,163.92
1011	98101	10/22/20	4959	TELECOM LAW FIRM	21355005550	DUP19003/200 MARINE VI	0.00	114.00
1011	98102	10/22/20	5704	THE HOME DEPOT PRO	00165006530	LINERS/BLEACH/RAGS	0.00	639.69
1011	98102	10/22/20	5704	THE HOME DEPOT PRO	00165006560	LINERS/BLEACH/RAGS	0.00	639.69
TOTAL CHECK							0.00	1,279.38
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00160006140	CODES CELL 6/24-7/23	0.00	146.51
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	21100007600	PW CELL 09/02-10/01	0.00	5.56
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	50900007700	PW CELL 09/02-10/01	0.00	5.56
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00165006540	PW CELL 09/02-10/01	0.00	15.28
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00165006560	PW CELL 09/02-10/01	0.00	15.28



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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00165006520	PW CELL 09/02-10/01	0.00	19.45
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00165006530	PW CELL 09/02-10/01	0.00	19.45
1011	98103	10/22/20	30	VERIZON WIRELESS-SD	00165006510	PW CELL 09/02-10/01	0.00	19.46
TOTAL CHECK							0.00	246.55
1011	98104	10/22/20	37	XEROX CORPORATION	00150005350	FIERY CLRKS-SEP	0.00	122.84
1011	98104	10/22/20	37	XEROX CORPORATION	00150005350	FIERY UPSTAIRS-SEP	0.00	132.61
1011	98104	10/22/20	37	XEROX CORPORATION	00150005350	FIERY PLANNING-SEP	0.00	132.61
TOTAL CHECK							0.00	388.06
1011	096032RB	10/17/20	1953	PALOMAR COLLEGE	001	FALL19-C#77829-DM	0.00	630.00
1011	096032RV	10/17/20	1953	PALOMAR COLLEGE	001	FALL19-C#77829-DM	0.00	-630.00
1011	V9000175	10/15/20	2260	REDFLEX TRAFFIC SYSTEMS,	00165006540	RED LIGHT CAMERA-SEP	0.00	7,158.00
1011	V9000176	10/15/20	13	SOLANA BEACH FIREFIGHTER	001	FD DUES PD 10/16/20	0.00	913.50
1011	V9000177	10/15/20	4465	SUN LIFE FINANCIAL	001	OCT 20 LIFE&ADD INS	0.00	1,124.00
1011	V9000177	10/15/20	4465	SUN LIFE FINANCIAL	001	OCT 20 LTD	0.00	1,490.78
1011	V9000177	10/15/20	4465	SUN LIFE FINANCIAL	001	OCT 20 SUPP LIFE INS	0.00	233.25
TOTAL CHECK							0.00	2,848.03
1011	V9000178	10/22/20	5843	MIDAMERICA	16053005360	CTYSOLANAG5-NOV 20	0.00	5,580.00
TOTAL CASH ACCOUNT							0.00	326,087.77
TOTAL FUND							0.00	326,087.77
TOTAL REPORT							0.00	326,087.77



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** Finance  
**SUBJECT:** **Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2020/21**

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**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 October 28, 2020.

**DISCUSSION:**

The following table reports the revenue, expenditures, and transfers for 1) the Adopted General Fund Budget approved by Council on June 12, 2019 (Resolution 2019-085) and 2) any resolutions passed by Council that amended the Adopted General Fund Budget.

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES As of October 28, 2020						
Action	Description	Revenues	Expenditures	Transfers from GF		Net Surplus
Reso 2019-085	Adopted Budget	19,827,600	(19,602,500)	(151,100)	(1)	\$ 74,000
Reso 2020-101	FY2019/20	(495,000)	361,000	80,000	(2)	20,000
	(1) Transfers to:		151,100			
	Debt Service for Public Facilities			151,100		
	(2) Transfer to:		(80,000)			
	City CIP Fund			(80,000)		

**CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA

**FISCAL IMPACT:**

N/A

**COUNCIL ACTION:**

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**WORK PLAN:**

N/A

**OPTIONS:**

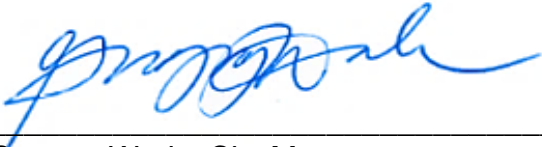
- Receive the report.
- Do not accept the report

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council receive the report listing changes made to the FY 2020-2021 General Fund Adopted Budget.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



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Gregory Wade, City Manager



# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** City Manager's Department  
**SUBJECT:** **Council Consideration of Resolution 2020-149: Authorizing City Manager to Move Representation Under the Professional Services Agreement with Tosdal Law Firm to a New Professional Services Agreement (PSA) with Tosdal APC**

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### **BACKGROUND:**

Community Choice Aggregation (“CCA”), authorized by Assembly Bill 117, is a state law that allows cities, counties and other authorized entities to aggregate electricity demand within their jurisdictions in order to purchase and/or generate alternative energy supplies for residents and businesses within their jurisdiction while maintaining the existing electricity provider for transmission and distribution services. The goal of a CCA is to provide a higher percentage of renewable energy electricity at competitive and potentially cheaper rates than existing Investor Owned Utilities (“IOU”s), while giving consumers local choices and promoting the development of renewable power sources and programs and local job growth.

The City of Solana Beach’s (“City”) CCA, Solana Energy Alliance (“SEA”), was established by the City Council through adoption of Ordinance 483 on December 13, 2017 and began serving customers in June 2018. SEA is the first CCA to launch in San Diego Gas & Electric territory and remains the only CCA operating in San Diego County.

At the November 28, 2018 City Council (“Council”) meeting, the Council adopted Resolution 2018-150 authorizing a Professional Services Agreement (“PSA”) with Tosdal Law Firm to provide CCA legal services. Due to the extensive regulatory requirements and ongoing tracking of pertinent legislation, SEA has required extensive services of Tosdal Law Firm, working specifically with attorney Ty Tosdal.

CITY COUNCIL ACTION:

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**AGENDA ITEM A.4.**

This item is before Council to consider adoption of Resolution 2020-149 (Attachment 1) authorizing City Manager to move representation from the Tosdal Law Firm PSA to a new PSA with Tosdal APC.

**DISCUSSION:**

On November 6, 2020, the City received a letter (Attachment 2) from Ty Tosdal, managing attorney of SEA's legal services, informing the City that Mr. Tosdal would be separating from Tosdal Law Firm and moving to Tosdal APC. Due to the relationship built with Mr. Tosdal, and his knowledge of SEA's specific interests, Staff believes continuing to work with Mr. Tosdal and moving representation with him to Tosdal APC would provide the best continuity of operations.

The City continues its active participation in a number of regulatory proceedings at the California Public Utilities Commission ("CPUC"). As an energy service provider, both the City and SEA have a vested interest in proceedings that impact SEA customers or could put SEA at a competitive disadvantage

As the only current operating CCA in SDG&E territory, the responsibility of regulatory monitoring rests solely on SEA's shoulders. With the help of CalCCA, SEA has taken the lead in protecting the interests for CCA customers. To this end, SEA retained the services of Tosdal Law Firm, specifically working with Ty Tosdal, who have extensive legal experience in CPUC and CCA regulatory procedures, policies and regulations. Given the importance of SEA's participation in these and other proceedings and other regulatory matters, staff is seeking Council authorization to continue working with attorney Ty Tosdal, following him to the newly formed Tosdal APC. The new PSA will allocate all remaining funds budgeted to Tosdal Law Firm to Tosdal APC for continuing legal services necessary to serve the interests of SEA and its customers. This cost will continue to be paid by SEA revenues through the SEA Enterprise Fund's lockbox.

**CEQA COMPLIANCE STATEMENT:**

Not a "project" as defined under Section 15378(b)(5) of CEQA Guidelines.

**FISCAL IMPACT:**

The change in law firms will not incur any additional fiscal impact. The costs of the agreement will continue to be paid from revenue in the SEA Enterprise Fund's lockbox account.

**WORK PLAN:**

Environmental Sustainability – Policy Development – Implement Solana Energy Alliance

**OPTIONS:**


- Approve Staff recommendation.
- Deny Staff recommendations
- Provide further direction to Staff

**DEPARTMENT RECOMMENDATION:**

Staff recommends the City Council adopt Resolution 2020-149 authorizing the City Manager to move representation under Tosdal Law Firm PSA to a new PSA with Tosdal APC.

**CITY MANAGER RECOMMENDATION:**

Approve Department Recommendation.



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Gregory Wade, City Manager

Attachments:

1. Resolution 2020-149
2. Tosdal APC Letter

**RESOLUTION NO. 2020-149**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING CITY MANAGER TO MOVE REPRESENTATION UNDER THE PROFESSIONAL SERVICES AGREEMENT WITH TOSDAL LAW FIRM, TO A NEW PROFESSIONAL SERVICES AGREEMENT WITH TOSDAL APC**

**WHEREAS**, the City Council approved the launch of the Solana Energy Alliance (SEA) to provide customers a choice in energy service providers; and

**WHEREAS**, the implementation of SEA requires specialized legal assistance in connection with energy and regulatory matters before the California Public Utilities Commission (CPUC); and

**WHEREAS**, because SEA is the first and only operating Community Choice Aggregation (CCA) program in San Diego Gas & Electric (SDG&E) territory, special and constant attention to matters before the CPUC is of utmost importance; and

**WHEREAS**, on November 28, 2018 the City Council, in their role as the Board of Directors of SEA, adopted Resolution 2018-150 approving a Professional Services Agreement (PSA) with Tosdal Law Firm, to perform these services; and

**WHEREAS**, SEA has required extensive legal services and worked extensively with Tosdal Law Firm attorney Ty Tosdal; and

**WHEREAS**, on November 6, 2020 the City received a letter from Ty Tosdal, managing attorney of SEA's legal services, informing the City that Mr. Tosdal would be separating from Tosdal Law Firm and moving to Tosdal APC; and

**WHEREAS**, due to the significant legal and regulatory duties and relationship built with Mr. Tosdal, moving representation to Mr. Tosdal's new firm Tosdal APC will provide needed continuity of operations.

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

1. That the foregoing recitations are true and correct.
2. That the City Council authorizes the City Manager to move representation from the Professional Service Agreement with Tosdal Law Firm to a new Professional Service Agreement with Tosdal APC.

**PASSED AND ADOPTED** this 18th day of November, 2020, at a specially 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 –

\_\_\_\_\_  
Jewel Edson, Mayor

APPROVED AS TO FORM:

ATTEST:

\_\_\_\_\_  
JOHANNA CANLAS, City Attorney

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



November 6, 2020

*Sent Via Email*

Gregory Wade  
City Manager, City of Solana Beach  
Executive Director, Solana Energy Alliance  
635 Highway 101  
Solana Beach, CA 92075  
[gwade@cosb.org](mailto:gwade@cosb.org)

Dear Greg,

The purpose of this letter is to notify the City of Solana Beach (“City”) and Solana Energy Alliance (“SEA”) that I have started a new law firm, Tosdal APC, and request that the City’s existing agreement for our services be amended, or alternatively, that the City enter into a new agreement with Tosdal APC.

Please note that I have attached for your reference Articles of Incorporation and state registration information for Tosdal APC. We continue to occupy the same office, so the mailing and physical address remain changed. Updated contact information, including a phone number and email, which I have provided to you previously, can also be found below.

Let us know if you have any questions or require additional documentation. We look forward to our continued work with you and the rest of the SEA staff and its consultants on energy regulatory matters.

Best Regards,

/s/ Ty Tosdal

---

Ty Tosdal  
Tosdal, APC  
777 S. Coast Highway 101  
Suite 215  
Solana Beach, CA 92075  
858-252-6416  
[ty@tosdalapc.com](mailto:ty@tosdalapc.com)

Copy (via email): Dan King ([DKing@cosb.org](mailto:DKing@cosb.org))  
Johanna Canlas ([attorney@cosb.org](mailto:attorney@cosb.org))

**ATTACHMENT 2**

ARTICLES OF INCORPORATION  
OF  
TOSDAL, APC

FILED *MM*  
Secretary of State  
State of California

*see* JAN 18 2019 *EA*

ONE: The name of this Corporation is TOSDAL, APC.

TWO: The purpose of this Corporation is to engage in the profession of law and any other lawful activities (other than the banking or trust company business) not prohibited to a corporation engaging in such profession by applicable laws and regulations.

THREE: This Corporation is a professional corporation within the meaning of Part 4, Division 3, Title 1, of the California Corporations Code.

FOUR: The initial street address and mailing address of the Corporation is 777 S. Highway 101, Suite 215, Solana Beach, California 92075.

FIVE: The name and address in the State of California of the Corporation's initial agent for service of process are:

TY BURDETT TOSDAL  
777 S. Highway 101, Suite 215  
Solana Beach, California 92075.

SIX: This Corporation is authorized to issue only one class of shares of stock. The total number of shares which the Corporation is authorized to issue is 10,000.

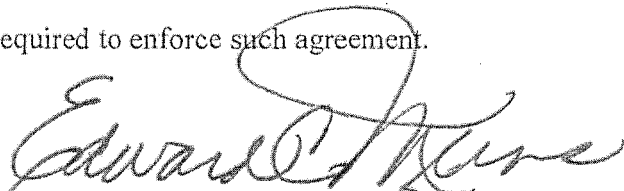
SEVEN: The liability of the directors of the Corporation for monetary damages shall be eliminated to the fullest extent permissible under California law.

EIGHT: The Corporation is authorized to provide indemnification of agents (as defined in Section 317 of the California Corporations Code) for breach of duty to the Corporation and its stockholders through bylaw provisions or through agreements with the


agents, or both, in excess of the indemnification otherwise permitted by Section 317 of the California Corporations Code, subject to the limits on such excess indemnification set forth in Section 204 of the California Corporations Code with respect to actions for breach of duty to the Corporation or its shareholders.

NINE: If proceedings for dissolution of the Corporation to which Corporations Code Section 2000 applies are instituted, the provisions of any Buy-Out Agreement then in effect among the Corporation's shareholders shall govern and supersede any provisions of Section 2000 inconsistent therewith, to the extent required to enforce such agreement.

DATED: January 17, 2019

  
EDWARD C. MUNS  
Incorporator

I hereby declare that I am the person who executed the foregoing Articles of Incorporation, which execution is my act and deed.

  
EDWARD C. MUNS

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*

*[Faint, illegible text]*



I hereby certify that the foregoing transcript of 2 page(s) is a full, true and correct copy of the original record in the custody of the California Secretary of State's office.

JAN 30 2019

Date: \_\_\_\_\_

*Alex Padilla*

ALEX PADILLA, Secretary of State



## Business Entities (BE)

- Online Services
  - [File LLC Statement of Information](#)
  - [File Corporation Statement of Information](#)
  - [Business Search](#)
  - [Publicly Traded Disclosure Search](#)
  - [Current Processing Dates](#)
- Service Options
- Name Availability
- Forms, Samples & Fees
- Statements of Information (annual/biennial reports)
- Filing Tips
- Information Requests (certificates, copies & status reports)
- Service of Process
- FAQs
- Contact Information
- Resources

## Business Search - Entity Detail

The California Business Search is updated daily and reflects work processed through Sunday, November 1, 2020. Please refer to document [Processing Times](#) for the received dates of filings currently being processed. The data provided is not a complete or certified record of an entity. Not all images are available online.

C4234781 TOSDAL, APC.

**Registration Date:** 01/18/2019  
**Jurisdiction:** CALIFORNIA  
**Entity Type:** DOMESTIC STOCK  
**Status:** ACTIVE  
**Agent for Service of Process:** TY BURDETT TOSDAL  
 777 S. HIGHWAY 101, SUITE 215  
 SOLANA BEACH CA 92075  
**Entity Address:** 777 S. HIGHWAY 101, SUITE 215  
 SOLANA BEACH CA 92075  
**Entity Mailing Address:** 777 S. HIGHWAY 101, SUITE 215  
 SOLANA BEACH CA 92075

[Certificate of Status](#)

A Statement of Information is due EVERY year beginning five months before and through the end of January.

Document Type	File Date	PDF
SI-NO CHANGE	10/26/2020	
SI-COMPLETE	02/05/2019	
REGISTRATION	01/18/2019	



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** City Manager's Office  
**SUBJECT:** **Fiscal Year (FY) 2019-20 Community Grant Recipient Financial Expenditure Report**

## BACKGROUND:

On May 4, 2004, the City Council adopted Resolution No. 2004-68 approving Council Policy No. 14, establishing the Community Grant Program and Application Guidelines for the Community Grant Program. In FY 2019-20, the City Council authorized \$30,000 in funding for eleven (11) applicants and allocated separate funding (\$5,000) from the Public Art Reserve Account. Similar to the last few years, the partnership between the City and Santa Fe Christian Schools (SFC) continued in an effort to maximize the amount of assistance and coordination of the community grant recipients. This partnership was instrumental in continuing a more robust and coordinated effort to assist the many excellent efforts of the various organizations serving the Eden Gardens community. SFC contributed \$10,000 to the Community Grant Program for a total Grant Budget of \$45,000. The following applicants received funding from the program in FY 2019-20:

### Fiscal Year 2019-20 Grant Recipients

1. Assistance League Rancho San Dieguito	\$ 3,000
2. Boys and Girls Clubs of San Dieguito	\$ 4,570
3. Casa de Amistad	\$ 4,570
4. Community Resource Center	\$ 4,570
5. Disconnect Collective	\$ 4,570
6. Jaliscience Folkloric Academy	\$ 4,570
7. La Colonia Community Foundation	\$ 4,570
8. North Coast Repertory Theatre	\$ 4,570
9. North County Immigration & Citizenship Center	\$ 3,940
10. San Dieguito River Valley Conservancy	\$ 1,500
11. Solana Beach Civic & Historical Society	\$ 4,570

**Total: \$45,000**

This item is before the City Council to receive and file the FY 2019-20 Community Grant Recipient Financial Expenditure Report.

CITY COUNCIL ACTION: \_\_\_\_\_  
 \_\_\_\_\_

**DISCUSSION:**

One of the requirements of receiving a grant award is the submittal of a financial report and receipts for the expenditures of grant funds expended by each of the recipients. Each recipient has submitted a report detailing their expenditures and the reports were submitted with varying degrees of detail. Below is a summary of the reports received from the grant recipients.

- 1. Assistance League Rancho San Dieguito:** The Assistance League Rancho San Dieguito was awarded \$3,000 for their “Operation School Bell, Clothing Children at Marshall’s Solana Beach” program that assists children of need in local schools. Students from St. Leo’s Head Start program were chosen to participate in two shopping events (March 11<sup>th</sup> and March 19<sup>th</sup>) at Marshalls in Solana Beach. Twenty (20) students attended the March 11<sup>th</sup> event with a family member to purchase new school shoes. Due to the COVID-19 pandemic, the second event to be held on March 19, 2020 was postponed. However, Assistance League Rancho San Dieguito worked with the Solana Beach Marshalls committing the remaining funds through the purchase of Marshalls gift cards. The amount spent at Marshalls for the purchase of school shoes and clothes was \$3,000.

• Marshalls – March 11 <sup>th</sup> :	\$ 1,500
• Marshalls – March 18 <sup>th</sup> :	<u>\$ 1,500</u>
	<b>Total: \$ 3,000</b>

- 2. Boys and Girls Club of San Dieguito:** The Boys and Girls Club of San Dieguito (Club) was awarded \$4,570 for the La Colonia and Teen Harper Youth Development and Mentoring program. The grant request was made to expand and strengthen the La Colonia Clubhouse and Harper Teen Center Mentoring and Development program through recruitment of additional staff and volunteers, purchase program materials and supplies, and enrichment activities for the youth members. The program serves the youth in the Eden Garden community in Solana Beach, an underserved population that falls within 60-75% proficiency in Math and English. During this grant period, the Club was able to diversify and increase academic and career-related services offered to the youth enrolled in the program. The club was able to provide homework assistance, mentoring, college and career planning workshops, and enrichment activities for youth in order to increase their chances of graduation and future success. The Club saw 100% of seniors in the program graduate this year and a 20% increase in the mentorship program. Monthly workshops saw between 15-20 teen members in attendance. Specifically, the grant funds were spent on the following:

• Salaries:	\$1,085.50
• Program Supplies:	\$1,600.00
• Program Expenses:	\$ 244.55
• Vehicles/Fuels:	<u>\$1,643.50</u>
	<b>Total: \$4,573.55</b>

**3. Casa de Amistad:** Casa de Amistad was awarded \$4,570 for their “Kinder to College Initiative”. The Program serves low-income families who do not have access to high quality preschool programs. During the fall of 2019, Casa de Amistad used data from a web-based literacy assessment to help staff and volunteers to provide students with dynamic educational support. The City’s Community Grant funds were used to invest in recruiting skill-based volunteers, conduct training for both parents and volunteers, and to improve the educational outcomes of all students enrolled in our program. During the FY 2019-20 grant cycle, Casa De Amistad adapted quickly to COVID-19 conditions, being able to offer 80 weekly online tutoring and mentoring sessions to 7<sup>th</sup> – 12<sup>th</sup> graders. Casa de Amistad served approximately 64 Solana Beach residents. Casa de Amistad has the help of 316 local volunteers. Casa de Amistad’s goal is to close the educational achievement gap between low-income students and their peers, rewriting the narrative of generational poverty, and working to ensure kindergarten readiness for each child in the program. Specifically, the grant funds were spent on the following:

• Personnel costs:	<u>\$ 4,570.00</u>
	<b>Total: \$ 4,570.00</b>

**4. Community Resource Center:** The Community Resource Center was awarded \$4,570 for their Holiday Basket Program. The organization expended their funding in accordance with their grant to provide holiday baskets that provided assorted food items for participating households. This program served over 6,400 individuals, including 3,300 youth and 323 seniors and domestic violence survivors, of which 23 families were from Solana Beach. Participants selected blankets, clothes, toys, infant and toddler items, bicycles and more. Each family also received a 50-pound food box with a holiday meal, chicken or turkey, fresh produce, nutritious staples for two weeks, and pet food and pet toys if needed. Specifically, the \$4,570 grant awarded by the City of Solana Beach provided for 94 Holiday Basket Program participant households.

**5. Disconnect Collective:** The Solana Beach Disconnect Collective was awarded \$4,570 to assist their program in providing mental health support and education to predominantly Hispanic immigrant families and teens in Solana Beach. Disconnect Collective’s Platicas de Mejorar support group held weekly meetings with about 15 members, starting in Fall 2019. Due to the COVID-19 pandemic, which enacted the stay at home order in mid-March, the group meetings were held several times via Zoom. Additionally, Disconnect Collective was able to hire a “Community Liaison,” who assisted in promoting the organization and helped create a book with lesson plans for participants. The book with lesson plans ended up having over 300 pages in English and Spanish and was donated to local programs so they could share the information. During the pandemic, Disconnect Collective reached out to the community to offer



assistance to those who suffered wage losses due to COVID-19. The Disconnect Collective was able to help 80 local Solana Beach families. Specifically, grant funds were spent on the following:

• Event Supplies	\$ 1,718.29
• Marketing Materials	\$ 417.41
• Sponsorship / Scholarships	\$ 1,103.00
• Website & Operating Fees	\$ 643.80
• Community Liaison Support	<u>\$ 687.50</u>
<b>Total:</b>	<b>\$ 4,570.00</b>

**6. Jaliscience Folkloric Academy:** The Jaliscience Folkloric Academy organization was awarded \$4,570 to assist with the Folkloric dance program. This program assists the low-income community of Solana Beach providing children a place to go and learn about history, culture, and dance. The \$4,570 contributed to the purchase of costumes and supplies for the folkloric performances. Specifically, grant funds were expended as follows:

• Costumes	\$ 3,566.97
• Shoes	\$ 1,106.48
• Accessories	\$ 1,063.18
• La Colonia Rental Fees	\$ 425.00
• Insurance	<u>\$ 540.00</u>
<b>Total:</b>	<b>\$ 6,701.63</b>

**7. La Colonia Community Foundation:** The La Colonia Community Foundation was awarded \$4,570 for the Adelante Mujer Conference. The in-person conference was scheduled for Spring 2020 to be held at La Colonia with an expected 100 participants, however, due to the COVID-19 pandemic, the La Colonia Community Foundation had to postpone this event. The event was postponed to September 12, 2020, but the pandemic conditions continued to make this in-person conference impossible. For this reason, the La Colonia Foundation is seeking an extension on the use of these funds, so they may put this conference on when public health conditions allow them to do so safely.

• <i>Unspent award amount:</i>	<u>\$4,570</u>
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**8. North Coast Repertory Theatre:** The North Coast Repertory Theatre (NCRT) requested funding to underwrite a portion of the expenses for the Theatre School student production of William Shakespeare's The Comedy of Errors and the Three Musketeers. For this Community Grant Program cycle, the NCRT received \$4,570. The cast of both student productions consisted of 43 Theater School students with especially strong female lead roles. More than 830 people attended the Theatre School's nine performances of The Comedy of Errors and five performances of The Three Musketeers. Funding provided by the City of Solana Beach allowed the Theatre to present all of the performances of The Comedy of Errors for free to the public and with partnership of another non-profit, offer 100 free tickets to The Three Musketeers.

The Theatre School serves nearly 2,000 students each year. The program costs associated with this grant were as follows:

- Director: \$ 2,000
  - Costume Designer: \$ 750
  - Costumes Materials/Rent: \$ 2,000
  - Royalties: \$ 560
- Total: \$ 5,310**

**9. North County Immigration and Citizenship Center (NCICC):** The North County Immigration and Citizenship Center (NCICC) was awarded \$3,940 for its Solana Beach Welcoming City Fund. During this grant period, NCICC worked to assist 71 members of the Solana Beach Community. Specifically, grant funds were spent on the following:

- Application for Naturalization (4 @ \$250) \$1,000.00
  - Screening / Consultation (57 @ \$30) \$1,710.00
  - Representation of Client During USCIS Interview For Naturalization (4 @ \$90) \$ 360.00
  - Permanent Resident Card Renewal (4 @ \$90) \$ 360.00
  - Family Petition (1 @\$300) \$ 300.00
  - Petition to Remove Conditions on Residence (1 @ \$225) \$ 225.00
- Total: \$3,955.00**

**10. San Dieguito River Valley Conservancy:** The San Dieguito River Valley Conservancy was awarded \$1,500 for the Watershed Explorers Program. The San Dieguito River Conservancy in partnership with Living Coast Discovery Center was able to provide free family friendly programming for 175 Solana Beach residents. The Watershed Explorers Program aimed to provide opportunities in which families and community members could experience and learn about the local natural and cultural resources. The program put on 3 in-person interactive presentations and continued with 2 Zoom presentations when COVID-19 did not allow in-person presentations. Specifically, grant funds were spent on the following:

- Living Coast Discovery Center Presentations \$1,075
  - Living Coast Discovery Center Travel Expenses \$ 100
  - Promotional / Outreach Expenses \$ 200
  - Site Reservation for Presentations \$ 125
- Total: \$1,500**

**11. Solana Beach Civic & Historical Society:** The Solana Beach Civic and Historical Society (SBC&HS) was awarded \$4,570 to assist in the digitization of historical archives. The goal of the project is to make over 100 years of Solana Beach's collected history available online for future generations. During the grant period, the SBC&HS continued with its digitization project. The 5<sup>th</sup>, 6<sup>th</sup>, and 7<sup>th</sup> batch were identified and sent to their digitizing consultant, Backstage, including several

scrapbooks, several hundred historical newspaper clippings and books on the history of Solana Beach. Additionally, two members volunteered to digitize additional newsletters received between 2018–19 into a Google drive storage “vault.” However, the COVID-19 pandemic created delays in the progress of the digitization project and SBC&HS is seeking an extension to spend the remaining unspent funds. Specifically, grant funds were spent on the following:

• Google Drive Storage	\$ 69.93
• Archival	\$ 3,797.36
• Mailing and Supplies	<u>\$ 233.52</u>
	<b>Total: \$ 4,100.81</b>
• <i>Remaining Unspent</i>	(\$ 469.19)

**CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA

**FISCAL IMPACT:**

The FY 2019-20 Adopted Budget authorized \$30,000 for the Community Grant Program (\$15,000 from EDCO and \$15,000 from the General Fund). An additional \$5,000 was appropriated from the Reserve Public Arts Account to the Contribution to Agencies expenditure account in the Coastal Business/Visitors TOT fund. The SFC school allocated \$10,000 to the Community Grant Program to complete the applicant’s requests.

City’s FY 2019/20 Adopted Budget -	\$30,000
Public Arts Reserve Account -	\$ 5,000
<u>Santa Fe Christian Schools -</u>	<u>\$10,000</u>
	<b>Total: \$45,000</b>

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Staff recommendation
- Approve Staff recommendation with modifications.
- Deny Staff recommendation and direct Staff as needed.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council accept this report and grant extensions for the two awardees who were unable to expend all grant funds.

**CITY MANAGER RECOMMENDATION:**

Approve Departmental Recommendation



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Gregory Wade, City Manager



# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** City Manager's Department  
**SUBJECT:** **Council Consideration of Resolution 2020-147 Authorizing the City Manager to Enter into a Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric to Comply with California Public Utilities Commission D.18-05-022 Related to Community Choice Aggregation Financial Security Requirement**

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### **BACKGROUND:**

Community Choice Aggregation (CCA), authorized by Assembly Bill 117, is a state law that allows cities, counties and other authorized entities to aggregate electricity demand within their jurisdictions in order to purchase and/or generate alternative energy supplies for residents and businesses within their jurisdiction while maintaining the existing electricity provider for transmission and distribution services. The goal of a CCA is to provide a higher percentage of renewable energy electricity at competitive and potentially cheaper rates than existing Investor Owned Utilities (IOUs), while giving consumers local choices and promoting the development of renewable power sources and programs and local job growth.

The City of Solana Beach's (City) CCA, Solana Energy Alliance (SEA), was established by the City Council through adoption of Ordinance 483 on December 13, 2017 and began serving customers in June 2018. SEA is the first CCA to launch in San Diego Gas & Electric territory and remains the only CCA operating in San Diego County.

This item is before Council to consider adoption of Resolution 2020-147 (Attachment 1) authorizing the City Manager to enter into a Deposit Account Control Agreement (Agreement) with River City Bank (RCB) and San Diego Gas & Electric (SDG&E) to comply with California Public Utilities Commission (CPUC) D. 18-05-022 related to the Community Choice Aggregation (CCA) Financial Security Requirement (FSR).

CITY COUNCIL ACTION:

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**AGENDA ITEM A.6.**

## **DISCUSSION:**

The City Council established SEA with the goal of offering cleaner energy, local control, rate savings compared to SDG&E and supporting the Climate Action Plan's aggressive goal of 100% renewable energy by 2035. SEA launched with its default product, SEA Choice, sourced from 50% renewable and 75% greenhouse gas free sources. In addition, SEA offers SEA Green, its voluntary 100% renewable energy product option. The City Council also established a goal of providing a 3% rate savings to customers as compared to SDG&E's generation rates.

Based on SEA's power procurement in 2019, SEA provided its customers 100% greenhouse gas free energy in 2019, exceeding its goal of 75% greenhouse gas free energy.

### **CPUC Decision 18-05-022**

In 2018, the CPUC issued Decision 18-05-022 (Decision) which established reentry fees and financial security requirements for CCAs. The purpose of the FSR instrument is to cover costs borne by SDG&E in the event of a mass involuntary return of SEA customers to SDG&E, such as the decertification of SEA or a CCA failure. SDG&E may only withdraw funds from the financial security instrument for unpaid administrative or procurement costs associated with the involuntary return of SEA customers to the IOU. Any withdrawal of those funds must first be approved by the CPUC.

Under the Decision, Investor Owned Utilities (IOUs), including SDG&E, were required to submit advice letters implementing the FSR requirements. Those advice letters were submitted in August 2018; however, they were suspended by the CPUC until final implementation issues could be resolved. On October 8, 2020, the CPUC adopted the Resolution finalizing the implementation of the IOU advice letters and setting the minimum FSR at \$147,000. To date, CCAs have been operating under an interim FSR amount of \$100,000, which was submitted to the CPUC as part of the SEA's CCA registration process.

In order to meet this requirement, Staff has begun working with SDG&E and RCB on a form of Agreement. SDG&E did not propose a form of agreement in their Advice Letter, therefore, Staff has proposed using Pacific Gas & Electric's (PG&E's) form as a starting point (Attachment 2). Additionally, the Resolution requires that SEA submit an advice letter to the CPUC with the FSR instrument as proof of compliance no later than December 8, 2020. Staff is also working with its legal team to draft the advice letter, which must be submitted with a copy of the executed Agreement. In accordance with the Resolution, once the advice letter is submitted and compliance with the FSR is demonstrated by way of an executed Agreement, the interim financial security amount of \$100,000 currently held by the CPUC will be returned to the City. Once SEA's customers have successfully transitioned to CEA, SEA will work with the CPUC to decertify as a CCA and close the escrow account and seek release of the \$147,000 held in the escrow account.

**CEQA COMPLIANCE STATEMENT:**

The action being considered by the City Council is exempt from the California Environmental Quality Act (CEQA) because it is not a “project” under Section 15378(b)(5) of CEQA Guidelines.

**FISCAL IMPACT:**

If approved, SEA will deposit \$147,000 into a new interest bearing account with RCB that is subject to the terms of the Escrow Agreement. Once SEA has demonstrated compliance with the Decision, the CPUC will refund the original \$100,000 deposit that was loaned by the General Fund. The \$147,000 FSR will be eligible for return once SEA’s customers have successfully transitioned to CEA in May 2021 and SEA can seek closure of the account and reimbursement of the deposited funds.

**WORK PLAN:**

Environmental Sustainability – Policy Development – Implement Solana Energy Alliance

**OPTIONS:**

- Approve Staff recommendations
- Do not approve Staff recommendations
- Provide alternative direction to Staff


**DEPARTMENT RECOMMENDATION:**

Staff recommends the City Council adopt Resolution 2020-147:

1. Authorizing the opening of a new account with River City Bank for deposit of the \$147,000 Financial Security Requirement.
2. Authorizing the City Manager to execute an Escrow and Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric, subject to City Attorney approval.

**CITY MANAGER RECOMMENDATION:**

Approve Department Recommendation.

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

Attachments:

1. Resolution 2020–147
2. Sample Form of Escrow Agreement

## RESOLUTION 2020-147

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A DEPOSIT ACCOUNT CONTROL AGREEMENT TO COMPLY WITH THE CALIFORNIA PUBLIC UTILITIES COMMISSION D.18-05-022 RELATED TO COMMUNITY CHOICE AGGREGATION FINANCIAL SECURITY REQUIREMENT.**

**WHEREAS**, Community Choice Aggregation (CCA), authorized by Assembly Bill 117, is a state law that allows cities, counties and other authorized entities to aggregate electricity demand within their jurisdictions in order to purchase and/or generate alternative energy supplies for residents and businesses within their jurisdiction while maintaining the existing electricity provider for transmission and distribution services; and

**WHEREAS**, the City of Solana Beach's (City) CCA, Solana Energy Alliance (SEA), was established by the City Council through adoption of Ordinance 483 on December 13, 2017 and began serving customers in June 2018; and

**WHEREAS**, in 2018, the California Public Utilities Commission (CPUC) issued Decision 18-05-022 (Decision) which established reentry fees and financial security requirements for CCAs; and

**WHEREAS**, the purpose of the Financial Security Requirement (FSR) instrument is to cover costs borne by SDG&E in the event of a mass involuntary return of SEA customers to SDG&E, such as the decertification of SEA or a CCA failure; and

**WHEREAS**, on October 8, 2020, the CPUC adopted the Resolution finalizing the implementation of the IOU advice letters and setting the minimum FSR at \$147,000.

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

1. That the above recitations are true and correct.
2. Authorizes the opening of a new account with River City Bank for deposit of the \$147,000 Financial Security Requirement.
3. Authorizes the City Manager to execute an Escrow and Deposit Account Control Agreement with River City Bank and San Diego Gas & Electric, subject to City Attorney approval.



**PASSED AND ADOPTED** this 18th day of November 2020, at a special meeting of the City Council of the City of Solana Beach, California, by the following vote:

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

\_\_\_\_\_  
JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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

1 **DEPOSIT ACCOUNT AGREEMENT**

2  
3 This Deposit Account Agreement (Agreement) is made by and among: (a) [INSERT NAME OF  
4 CCA] (Posting Party); (b) [INSERT NAME OF BANK] (Bank); and (c) Pacific Gas and Electric  
5 Company (Secured Party), each of which is a Party and all of which are Parties.  
6

- 7 1. Posting Party solely owns the following account at Bank (the Deposit Account): Account  
8 number \_\_\_\_\_. Additional amounts may be deposited into this account from time to  
9 time.
- 10 2. Pursuant and subject to the terms of [INSERT NAME OF CCA Service Agreement], dated  
11 \_\_\_\_\_ for electrical energy services and for reentry fees as provided for in  
12 California Public Utilities Code Section 394.25(e), Posting Party and Secured Party intend  
13 that Secured Party have a security interest in and control over the Deposit Account and all  
14 money, including interest, therein.
- 15 3. Posting Party, Secured Party and Bank agree that, during the term of this Agreement, Bank  
16 shall comply with the instructions originated by Secured Party directing disposition of the  
17 funds in the Deposit Account and that Bank shall comply with such instructions without any  
18 further consent by Posting Party. Such instructions shall be in the form of a written document  
19 signed by an authorized representative of Secured Party and shall be effective upon receipt by  
20 Bank. Delivery may be by facsimile. Secured Party agrees to provide contemporaneously a  
21 copy of any such instruction to Posting Party; however, Bank’s obligation to comply with  
22 Secured Party’s instructions is not conditioned upon Posting Party’s receipt of a copy. Bank  
23 shall comply with Secured Party’s instructions within forty-eight (48) hours of receipt of the  
24 same. Though Bank shall have no obligation to verify the existence of a default in honoring  
25 Secured Party’s instructions, Secured Party agrees that (a) it shall not draw on the funds in the  
26  
27  
28

1 Deposit Account except if [Insert name of the CCA] has returned its customers to [Insert  
2 name of the IOU] and amounts are owed by [Insert name of the CCA] for reentry fees as  
3 defined in California Public Utilities Code Section 394.25(e) which shall constitute a default  
4 by Posting Party under [INSERT NAME OF CCA Service Agreement], and (b) it shall instruct Bank  
5 to release funds from the Deposit Account to Posting Party periodically if the amount of  
6 collateral required for transactions between the Parties under for reentry fees as defined in  
7 California Public Utilities Code Section 394.25(e) is less than the then-current amount in the  
8 Deposit Account.  
9

- 10 4. Posting Party shall pay all fees, charges, and costs to establish, maintain, and close the  
11 Deposit Account. Posting Party shall also pay any taxes on interest income generated by the  
12 Deposit Account and shall receive all related tax information and forms from Bank.
- 13 5. Bank shall pay interest at Bank's usual rate for such accounts on the balance in the Deposit  
14 Account by crediting such interest to the account. Bank may invest the amount in the Deposit  
15 Account into an institutional money market fund or into a demand deposit account at Bank  
16 paying Bank's current rate of interest thereon.
- 17 6. Posting Party agrees to indemnify Bank against and hold Bank harmless from all cost,  
18 liability, damages, claims, suits and expenses (including reasonable attorney's fees and costs)  
19 arising from or related to Bank's release of funds from the Deposit Account to Secured Party,  
20 except to the extent such cost, liability, damage, claim, suit, or expense results from Bank's  
21 negligence or willful misconduct.  
22
- 23 7. In performing its duties hereunder, Bank shall not be liable to any Party for consequential  
24 damages, including, without limitation, lost profits, losses, or expenses except to the extent  
25 any of the same result from Bank's negligence or willful misconduct. Bank shall not incur  
26 any such liability for (a) any act or failure to act made or omitted in good faith, or (b) any  
27 action taken or omitted in reliance on any instrument or written statement that Bank believes  
28

1 in good faith to be genuine. Bank shall not be responsible for verifying the authority of any  
2 person acting or purporting to act on behalf of a Party.

- 3 8. All notices and instructions entitled or required to be given under this Agreement shall be in  
4 writing and shall be sent via a commercial courier service guaranteeing next-day delivery and  
5

6  
7 requiring a receipt of delivery (such as Federal Express) or by facsimile to the following  
8 addresses or fax numbers:  
9

10 If to Bank:

11 Contact Person:  
12 Address:  
13 E-Mail Address:  
14 Phone:  
15 Fax:

16 If to Posting Party:

17 Contact Person:  
18 Address:  
19 E-Mail Address:  
20 Phone:  
21 Fax:

22 If to Secured Party:

23 Contact Person:  
24 Address:  
25 E-Mail Address:  
26 Phone:  
27 Fax:

- 28 9. Bank shall act only as the holder of the Deposit Account and shall have no fiduciary duty to  
Secured Party. During the term of this Agreement, Bank shall be entitled to rely on any  
written instruction signed by an authorized representative of Secured Party that it reasonably  
believes to be genuine and shall not be required to investigate the legitimacy of such written  
instruction or the authority of the person executing the same.

10. Bank may resign as the holder of the Deposit Account at any time upon giving both the

1 Secured Party and Posting Party at least thirty (30) days' written notice; provided that, such  
2 resignation shall not be effective until a successor Bank has accepted in writing its  
3 appointment as the holder of the Deposit Account and has signed this Agreement and agreed  
4 to succeed to the duties and obligations of Bank hereunder. Upon receipt by the Parties of the  
5 successor bank's written acceptance, Bank shall be discharged from any further duties and  
6 liability under this Agreement.

7  
8 11. Any entity into which Bank may be merged or with which it may be consolidated, or any  
9 entity to which Bank may transfer a substantial portion of its business of maintaining accounts  
10 such as the Deposit Account, shall be the successor to Bank hereunder without the execution  
11 or filing of any paper or any further act by any Party.

12 12. Secured Party and Bank shall not disclose the balance in the Deposit Account or any  
13 associated financial information to any non-Party other than to a governmental agency or  
14 authority with jurisdiction over the disclosing Party. The disclosing Party shall, if practicable,  
15 immediately notify the other Parties of any request or demand to disclose before such  
16 disclosure is made.

17  
18 13. Bank represents and warrants to Secured Party that the Deposit Account and all agreements  
19 between Bank and Posting Party related thereto are governed by the law of the State of  
20 California. Bank covenants that it will not, without Secured Party's prior written consent,  
21 amend those account agreements to change their governing law or to provide that secured  
22 transactions relating to the Deposit Account are governed by the law of another jurisdiction  
23 [see, Section 9304 of Revised UCC].

24  
25 14. This Agreement is governed by the laws of the State of California.

26 15. This Agreement may only be terminated upon the written consent of the Secured Party.

27 Posting Party shall solely control the disposition of all funds in the Deposit Account as of the  
28 date of termination of this Agreement.

1 16. This Agreement sets forth the entire agreement among the Parties regarding the subject matter  
2 hereof and, as such, supersedes any prior and contemporaneous oral or written agreements of  
3 the Parties with respect to the subject matter hereof. To the extent this Agreement conflicts  
4 with the provisions of any other agreement between Bank and Posting Party, the provisions of  
5 this Agreement shall control.

6 17. No amendment of this Agreement will be binding unless it is in writing and signed by Posting  
7 Party, Bank, and Secured Party, and no waiver of any right under this Agreement will be  
8 binding unless it is in writing and signed by the waiving Party.

9 18. The provisions of this Agreement shall be binding on and shall inure to the benefit of Bank,  
10 Posting Party, Secured Party and their respective successors and permitted assigns.

11 19. Nothing in this Agreement shall be deemed to create any agency, fiduciary, joint venture, or  
12 partnership relationship between or among Bank, Posting Party, and Secured Party.

13 20. This Agreement may be executed in counterparts, each of which shall be an original and all of  
14 which taken together shall constitute a single instrument.

15 21. The effectiveness of this Agreement is conditioned on the execution of it by each Party and  
16 the subsequent delivery of the signed document to the other Parties. Execution may be in  
17 counterparts, and a facsimile copy shall have the same legal effect as an original. This  
18 Agreement shall be effective as of the date of the last signature.

19 22. This Agreement shall be executed by an authorized representative of each Party.  
20  
21  
22

23 **BANK**  
24 [INSERT BANK NAME]

By: \_\_\_\_\_

Name:

Title:

Date: \_\_\_\_\_

**POSTING PARTY**

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By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

**SECURED PARTY**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_



# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** Engineering Department  
**SUBJECT:** **Council Consideration of Resolution 2020-095 Authorizing the City Manager to Submit a Project Application to the California Department of Parks and Recreation for the Per Capita Grant Program**

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### **BACKGROUND**

This program originates from Proposition 68, placed on the ballot via Senate Bill 5 (DeLeon, Chapter 852, statutes of 2017), and approved by voters on June 5, 2018. Funds for the program were appropriated via State Budget item 3790-101-6088(b). Legislative program information is found in the Public Resources Code (PRC) beginning at §80000. Funds are provided for two programs. The General Per Capita Program and the Urban County Per Capita Program.

This item is before the City Council to consider approval of Resolution 2020-095 that would authorize the City Manager to submit a project application to the California Department of Parks and Recreation for the Per Capita Grant Program and authorize the City Manager execute an agreement if the grant is approved.

### **DISCUSSION:**

The California Department of Parks and Recreation for the Per Capita Grant Program originates from Proposition 68, placed on the ballot via Senate Bill 5 and approved by voters on June 5, 2018. There are two components of the Per Capita Grant Program for which the City is eligible. One component is the General Per Capita Program, from which the City is scheduled to receive \$177,952. These funds are available for local park rehabilitation, creation and improvement grants to local governments on a per capita basis. Per Capita Grant Program recipients are encouraged to utilize awards to

COUNCIL ACTION:

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**AGENDA ITEM A.7.**



rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

The second component of the Per Capita Grant Program for which the City is also eligible is the Urban County Per Capita, which the City is scheduled to receive an additional \$8,519. These funds are available to cities and districts in urbanized counties, defined as a county with a population of 500,000 or more, providing park and recreation services within jurisdictions of 200,000 or less in population. An entity eligible to receive funds under Urban County Per Capita program is also eligible to receive funds available under the General Per Capita Program. Between the two programs, the City is scheduled to receive \$186,471.

There is a 20% match required for projects that do not serve a severely disadvantaged community within one-half mile of the project site. According to the match calculator on the grant website, a match is required for any project within the City limits. With a grant amount of \$186,471, the local match required would be \$46,618 for a minimum project total of \$233,089. In prior actions, Council has prioritized the La Colonia Tot Lot for reconstruction. Council has already appropriated \$20,000 in the Capital Improvement Program (CIP) for Fiscal Year (FY) 2020/21 and an additional \$40,000 in FY 2021/22. Therefore, sufficient funds have already been appropriated by Council to meet the local match requirement.

The Per Capita Grant Program project application guidelines require a resolution that states the governing body agrees to the terms of the contract and that the grantee has funds to complete, operate and maintain the project that would be constructed with the grant funds. A copy of the Per Capita Grant Contract, terms of which are non-negotiable in order for the City to receive these funds, is provided in Attachment 2. The resolution is also required to designate a position/title to represent the governing body on all matters regarding the project associated with the contract. If Resolution 2020-095 is adopted, the City Manager would be the designated representative on behalf of the City.

**CEQA COMPLIANCE STATEMENT:**

This action is not a project as defined by the California Environmental Quality Act (CEQA).

**FISCAL IMPACT:**

The revised Fiscal Year (FY) 2020/21 Capital Improvement Program (CIP) budget appropriated \$20,000 for design of a new playground at La Colonia Park for FY 2020/21 and \$40,000 for FY 2021/22. The CIP budget also identifies unfunded amounts (for a State Grant) of \$80,000 in FY 2020/21 and \$360,000 in FY 2021/22. As part of this Staff Report, the City Council will be considering the submission of a project application requesting \$186,471 to the State of California Department of Parks and Recreation Per Capita Grant Program.

**WORKPLAN:**

This project is consistent with Item B.2 of the Community Character Priorities of the FY 2020/21 Work Plan.

**OPTIONS:**


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

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2020-095 authorizing the City Manager to submit a project application to the California Department of Parks and Recreation for the Per Capita Grant Program, in order to receive the \$186,471 the City is eligible to receive.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



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Gregory Wade, City Manager

Attachments:

1. Resolution 2020-095
2. Per Capita Grant Contract (Sample)

## RESOLUTION 2020-095

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO SUBMIT A PROJECT APPLICATION TO THE CALIFORNIA DEPARTMENT OF PARKS AND RECREATION FOR THE PER CAPITA GRANT PROGRAM

**WHEREAS**, the California Department of Parks and Recreation for the Per Capita Grant Program originates from Proposition 68, placed on the ballot via Senate Bill 5 and approved by voters on June 5, 2018; and

**WHEREAS**, funds from the Per Capita Grant Program are available for local park rehabilitation, creation and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors; and

**WHEREAS**, the State Department of Parks and Recreation has been delegated the responsibility by the Legislature of the State of California for the administration of the Per Capita Grant Program, setting up necessary procedures governing application; and

**WHEREAS**, said procedures established by the State Department of Parks and Recreation require the grantee's Governing Body to certify by resolution the approval of project application(s) before submission of said applications to the State; and

**WHEREAS**, the City (grantee) will enter into a contract(s) with the State of California to complete the project(s); and

**WHEREAS**, the City is scheduled to receive \$177,952 from the General Per Capita Program and an additional \$8,519 from the Urban County Per Capita.

**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 approves the filing of project application for Per Capita program grant project.
3. That the City Council certifies that the City has or will have available, prior to commencement of project work utilizing Per Capita funding, sufficient funds to complete the project.

4. That the City Council certifies that the City has or will have sufficient funds to operate and maintain the project.
5. That the City Council certifies that all projects proposed will be consistent with the park and recreation element of the City's general plan (PRC §80063(a)).
6. That the City Council certifies that these funds will be used to supplement, not supplant, local revenues in existence as of June 5, 2018 (PRC §80062(d)).
7. That the City Council certifies that it will comply with the provisions of §1771.5 of the State Labor Code.
8. That the City Council certifies that according to (PRC §80001(b)(8)(A-G)) to the extent practicable, as identified in the "Presidential Memorandum--Promoting Diversity and Inclusion in Our National Parks, National Forests, and Other Public Lands and Waters," dated January 12, 2017, the City will consider a range of actions that include, but are not limited to, the following:
  - A. Conducting active outreach to diverse populations, particularly minority, low-income, and disabled populations and tribal communities, to increase awareness within those communities and the public generally about specific programs and opportunities.
  - B. Mentoring new environmental, outdoor recreation, and conservation leaders to increase diverse representation across these areas.
  - C. Creating new partnerships with state, local, tribal, private, and nonprofit organizations to expand access for diverse populations.
  - D. Identifying and implementing improvements to existing programs to increase visitation and access by diverse populations, particularly minority, low-income, and disabled populations and tribal communities.
  - E. Expanding the use of multilingual and culturally appropriate materials in public communications and educational strategies, including through social media strategies, as appropriate, that target diverse populations.
  - F. Developing or expanding coordinated efforts to promote youth engagement and empowerment, including fostering new partnerships with diversity-serving and youth-serving organizations, urban areas, and programs.
  - G. Identifying possible staff liaisons to diverse populations.

9. That the City Council agrees that to the extent practicable, the project(s) will provide workforce education and training, contractor and job opportunities for disadvantaged communities (PRC §80001(b)(5)).
10. That the City Council certifies that the grantee shall not reduce the amount of funding otherwise available to be spent on parks or other projects eligible for funds under this division in its jurisdiction. A one-time allocation of other funding that has been expended for parks or other projects, but which is not available on an ongoing basis, shall not be considered when calculating a recipient's annual expenditures. (PRC §80062(d)).
11. That the City Council certifies that the City has reviewed, understands, and agrees to the General Provisions contained in the contract shown in the Procedural Guide.
12. That the City Council delegates the authority to the City Manager, or designee, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scope.
13. That the City Council agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines

**PASSED AND ADOPTED** this 18th day of November, 2020, at a special meeting of the City Council of the City of Solana Beach, California by the following vote:

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

\_\_\_\_\_  
JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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

# Per Capita Contract



State of California – The Natural Resources Agency  
DEPARTMENT OF PARKS AND RECREATION

## Sample Grant Contract Per Capita Grant Program

GRANTEE: Grantee Name

GRANT PERFORMANCE PERIOD is from July 1, 2018 through June 30, 2024

CONTRACT PERFORMANCE PERIOD is from July 1, 2018 through June 30, 2048

The GRANTEE agrees to the terms and conditions of this contract (CONTRACT), and the State of California, acting through its Director of the Department of Parks and Recreation, pursuant to the State of California, agrees to fund the total State grant amount indicated below.

The GRANTEE agrees to complete the PROJECT SCOPE(s) as defined in the Development PROJECT SCOPE/Cost Estimate Form or acquisition documentation for the application(s) filed with the State of California.

The General and Special Provisions attached are made a part of and incorporated into the Contract.

Total State grant amount not to exceed \$ [GRANT amount]

GRANTEE

\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE Signature Date

\_\_\_\_\_  
Print Name and Title

STATE OF CALIFORNIA  
DEPARTMENT OF PARKS AND RECREATION

\_\_\_\_\_  
AUTHORIZED REPRESENTATIVE Signature Date

\_\_\_\_\_  
Print Name and Title

CERTIFICATION OF FUNDING (FOR STATE USE ONLY)				
AMOUNT OF ESTIMATE \$		CONTRACT NUMBER	FUND	
ADJ. INCREASING ENCUMBRANCE \$		APPROPRIATION		
ADJ. DECREASING ENCUMBRANCE \$		ITEM VENDOR NUMBER		
UNENCUMBERED BALANCE \$		LINE ITEM ALLOTMENT	CHAPTER	STATUTE
T.B.A. NO.	B.R. NO.	INDEX	Funding Source	FISCAL YEAR
				OBJ. EXPEND
I hereby certify upon my personal knowledge that budgeted funds are available for this encumbrance.				
SIGNATURE OF ACCOUNTING OFFICER			DATE	

**ATTACHMENT 2**

## **I. RECITALS**

This CONTRACT is entered into between the California Department of Parks and Recreation (hereinafter referred to as “GRANTOR,” “DEPARTMENT” or “STATE”) and [grantee name] (hereinafter referred to as “GRANTEE”).

The DEPARTMENT hereby grants to GRANTEE a sum (also referred to as “GRANT MONIES”) not to exceed \$grant amount, subject to the terms and conditions of this CONTRACT and the 20xx/xx California State Budget, Chapter xx, statutes of 20xx, Item number – 3790-xxx-xxxx (appropriation chapter and budget item number hereinafter referred to as “PER CAPITA GRANT”). These funds shall be used for completion of the GRANT SCOPE(S).

The Grant Performance Period is from July 1, 20xx to June 30, 20xx.

## **II. GENERAL PROVISIONS**

### **A. Definitions**

As used in this CONTRACT, the following words shall have the following meanings:

1. The term “ACT” means the California Drought, Water, Parks Climate, Coastal Protection, and Outdoor Access for All Act of 2018, as referred to in section I of this CONTRACT.
2. The term “APPLICATION” means the individual project APPLICATION packet for a project pursuant to the enabling legislation and/or grant program process guide requirements.
3. The term “DEPARTMENT” or “STATE” means the California Department of Parks and Recreation.
4. The term “DEVELOPMENT” means capital improvements to real property by means of, but not limited to, construction, expansion, and/or renovation, of permanent or fixed features of the property.
5. The term “GRANTEE” means the party described as the GRANTEE in Section I of this CONTRACT.
6. The term “GRANT SCOPE” means the items listed in the GRANT SCOPE/Cost Estimate Form or acquisition documentation found in each of the APPLICATIONS submitted pursuant to this grant.
7. The term “PROCEDURAL GUIDE” means the document identified as the “Procedural Guide for California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access For All Act of 2018 Per Capita Program.” The PROCEDURAL GUIDE provides the procedures and policies controlling the administration of the grant.

### **B. Project Execution**

1. Subject to the availability of GRANT MONIES in the act, the STATE hereby grants to the GRANTEE a sum of money not to exceed the amount stated in Section I of this CONTRACT, in consideration of, and on condition that, the sum be expended in carrying out the purposes as set forth in the enabling legislation and referenced in the APPLICATION, Section I of this CONTRACT, and under the terms and conditions set forth in this CONTRACT.

The GRANTEE shall assume any obligation to furnish any additional funds that may be necessary to complete the GRANT SCOPE(S).

The GRANTEE agrees to submit any change or alteration from the original GRANT SCOPE(S) in writing to the STATE for prior approval. This applies to any and all changes that occur after

STATE has approved the APPLICATION. Changes in the GRANT SCOPE(S) must be approved in writing by the STATE.

2. The GRANTEE shall complete the GRANT SCOPE(S) in accordance with the time of the Grant Performance Period set forth in Section I of this CONTRACT, and under the terms and conditions of this CONTRACT.
3. The GRANTEE shall comply with the California Environmental Quality Act (Public Resources Code, §21000, et seq., Title 14, California Code of Regulations, §15000 et seq.).
4. The GRANTEE shall comply with all applicable current laws and regulations affecting DEVELOPMENT projects, including, but not limited to, legal requirements for construction contracts, building codes, health and safety codes, and laws and codes pertaining to individuals with disabilities, including but not limited to the Americans With Disabilities Act of 1990 (42 U.S.C. §12101 et seq.) and the California Unruh Act (California Civil Code §51 et seq.).

**C. Procedural Guide**

1. GRANTEE agrees to abide by the PROCEDURAL GUIDE.
2. GRANTEE acknowledges that STATE may make reasonable changes to its procedures as set forth in the PROCEDURAL GUIDE. If STATE makes any changes to its procedures and guidelines, STATE agrees to notify GRANTEE within a reasonable time.

**D. Project Administration**

1. If GRANT MONIES are advanced for DEVELOPMENT projects, the advanced funds shall be placed in an interest bearing account until expended. Interest earned on the advanced funds shall be used on the project as approved by the STATE. If grant monies are advanced and not expended, the unused portion of the grant and any interest earned shall be returned to the STATE within 60 days after project completion or end of the Grant Performance Period, whichever is earlier.
2. The GRANTEE shall submit written project status reports within 30 calendar days after the STATE has made such a request. In any event, the GRANTEE shall provide the STATE a report showing total final project expenditures within 60 days of project completion or the end of the grant performance period, whichever is earlier. The Grant Performance Period is identified in Section I of this CONTRACT.
3. The GRANTEE shall make property or facilities acquired and/or developed pursuant to this contract available for inspection upon request by the STATE.



## **E. Project Termination**

1. Project Termination refers to the non-completion of a GRANT SCOPE. Any grant funds that have not been expended by the GRANTEE shall revert to the STATE.
2. The GRANTEE may unilaterally rescind this CONTRACT at any time prior to the commencement of the project. The commencement of the project means the date of the letter notifying GRANTEE of the award or when the funds are appropriated, whichever is later. After project commencement, this CONTRACT may be rescinded, modified or amended only by mutual agreement in writing between the GRANTEE and the STATE, unless the provisions of this CONTRACT provide that mutual agreement is not required.
3. Failure by the GRANTEE to comply with the terms of the (a) PROCEDURAL GUIDE, (b) any legislation applicable to the ACT, (c) this CONTRACT as well as any other grant contracts, specified or general, that GRANTEE has entered into with STATE, may be cause for suspension of all obligations of the STATE unless the STATE determines that such failure was due to no fault of the GRANTEE. In such case, STATE may reimburse GRANTEE for eligible costs properly incurred in performance of this CONTRACT despite non-performance of the GRANTEE. To qualify for such reimbursement, GRANTEE agrees to mitigate its losses to the best of its ability.
4. Any breach of any term, provision, obligation or requirement of this CONTRACT by the GRANTEE shall be a default of this CONTRACT. In the case of any default by GRANTEE, STATE shall be entitled to all remedies available under law and equity, including but not limited to: a) Specific Performance; b) Return of all GRANT MONIES; c) Payment to the STATE of the fair market value of the project property or the actual sales price, whichever is higher; and d) Payment to the STATE of the costs of enforcement of this CONTRACT, including but not limited to court and arbitration costs, fees, expenses of litigation, and reasonable attorney fees.
5. The GRANTEE and the STATE agree that if the GRANT SCOPE includes DEVELOPMENT, final payment may not be made until the work described in the GRANT SCOPE is complete and the GRANT PROJECT is open to the public.

## **F. Budget Contingency Clause**

If funding for any fiscal year is reduced or deleted by the budget act for purposes of this program, the STATE shall have the option to either cancel this contract with no liability occurring to the STATE, or offer a CONTRACT amendment to GRANTEE to reflect the reduced grant amount. This Paragraph shall not require the mutual agreement as addressed in Paragraph E, provision 2, of this CONTRACT.

## **G. Hold Harmless**

1. The GRANTEE shall waive all claims and recourse against the STATE including the right to contribution for loss or damage to persons or property arising from, growing out of or in any way connected with or incident to this CONTRACT except claims arising from the concurrent or sole negligence of the STATE, its officers, agents, and employees.
2. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, damages, costs, expenses or liability costs arising out of the ACQUISITION, DEVELOPMENT, construction, operation or maintenance of the property described as the project which claims, demands or causes of action arise under California Government Code Section 895.2 or otherwise except for liability arising out of the concurrent or sole negligence of the STATE, its officers, agents, or employees.

3. The GRANTEE agrees that in the event the STATE is named as codefendant under the provisions of California Government Code Section 895 et seq., the GRANTEE shall notify the STATE of such fact and shall represent the STATE in the legal action unless the STATE undertakes to represent itself as codefendant in such legal action in which event the GRANTEE agrees to pay the STATE's litigation costs, expenses, and reasonable attorney fees.
4. The GRANTEE and the STATE agree that in the event of judgment entered against the STATE and the GRANTEE because of the concurrent negligence of the STATE and the GRANTEE, their officers, agents, or employees, an apportionment of liability to pay such judgment shall be made by a court of competent jurisdiction. Neither party shall request a jury apportionment.
5. The GRANTEE shall indemnify, hold harmless and defend the STATE, its officers, agents and employees against any and all claims, demands, costs, expenses or liability costs arising out of legal actions pursuant to items to which the GRANTEE has certified. The GRANTEE acknowledges that it is solely responsible for compliance with items to which it has certified.

#### **H. Financial Records**

1. The GRANTEE shall maintain satisfactory financial accounts, documents, including loan documents, and all other records for the project and to make them available to the STATE for auditing at reasonable times. The GRANTEE also agrees to retain such financial accounts, documents and records for five years following project termination or issuance of final payment, whichever is later.  
The GRANTEE shall keep such records as the STATE shall prescribe, including records which fully disclose (a) the disposition of the proceeds of STATE funding assistance, (b) the total cost of the project in connection with such assistance that is given or used, (c) the amount and nature of that portion of the project cost supplied by other sources, and (d) any other such records that will facilitate an effective audit.
3. The GRANTEE agrees that the STATE shall have the right to inspect and make copies of any books, records or reports pertaining to this contract or matters related thereto during regular office hours. The GRANTEE shall maintain and make available for inspection by the STATE accurate records of all of its costs, disbursements and receipts with respect to its activities under this contract. Such accounts, documents, and records shall be retained by the GRANTEE for at least five years following project termination or issuance of final payment, whichever is later.
4. The GRANTEE shall use a generally accepted accounting system.

#### **I. Use of Facilities**

1. The GRANTEE agrees that the GRANTEE shall operate and maintain the property acquired or developed with the GRANT MONIES, for the duration of the Contract Performance Period.
2. The GRANTEE agrees that, during the Contract Performance Period, the GRANTEE shall use the property acquired or developed with GRANT MONIES under this contract only for the purposes of this grant and no other use, sale, or other disposition or change of the use of the property to one not consistent with its purpose shall be permitted except as authorized by the STATE and the property shall be replaced with property of equivalent value and usefulness as determined by the STATE.
3. The property acquired or developed may be transferred to another entity if the successor entity assumes the obligations imposed under this CONTRACT and with the approval of STATE.

4. Any real Property (including any portion of it or any interest in it) may not be used as security for any debt or mitigation, without the written approval of the STATE provided that such approval shall not be unreasonably withheld as long as the purposes for which the Grant was awarded are maintained. Any such permission that is granted does not make the STATE a guarantor or a surety for any debt or mitigation, nor does it waive the STATE'S rights to enforce performance under the Grant CONTRACT.
5. All real property, or rights thereto, acquired with GRANT MONIES shall be subject to an appropriate form of restrictive title, rights, or covenants approved by the STATE. If the project property is taken by use of eminent domain, GRANTEE shall reimburse STATE an amount at least equal to the amount of GRANT MONIES received from STATE or the pro-rated full market value of the real property, including improvements, at the time of sale, whichever is higher.
6. If eminent domain proceedings are initiated against GRANTEE, GRANTEE shall notify STATE within 10 days of receiving the complaint.

**J. Nondiscrimination**

1. The GRANTEE shall not discriminate against any person on the basis of sex, race, color, national origin, age, religion, ancestry, sexual orientation, or disability in the use of any property or facility developed pursuant to this contract.
2. The GRANTEE shall not discriminate against any person on the basis of residence except to the extent that reasonable differences in admission or other fees may be maintained on the basis of residence and pursuant to law.
3. All facilities shall be open to members of the public generally, except as noted under the special provisions of this project contract or under provisions of the enabling legislation and/or grant program.

**K. Severability**

If any provision of this CONTRACT or the application thereof is held invalid, that invalidity shall not affect other provisions or applications of the CONTRACT which can be given effect without the invalid provision or application, and to this end the provisions of this CONTRACT are severable.

**L. Liability**

1. STATE assumes no responsibility for assuring the safety or standards of construction, site improvements or programs related to the GRANT SCOPE. The STATE'S rights under this CONTRACT to review, inspect and approve the GRANT SCOPE and any final plans of implementation shall not give rise to any warranty or representation that the GRANT SCOPE and any plans or improvements are free from hazards or defects.
2. GRANTEE will secure adequate liability insurance, performance bond, and/or other security necessary to protect the GRANTEE'S and STATE'S interest against poor workmanship, fraud, or other potential loss associated with completion of the grant project.

**M. Assignability**

Without the written consent of the STATE, the GRANTEE'S interest in and responsibilities under this CONTRACT shall not be assignable by the GRANTEE either in whole or in part.

**N. Use of Grant Monies**

GRANTEE shall not use any grant funds (including any portion thereof) for the purpose of making any leverage loan, pledge, promissory note or similar financial device or transaction, without: 1) the prior written approval of the STATE; and 2) any financial or legal interests created by any such leverage loan, pledge, promissory note or similar financial device or transaction in the project property shall be completely subordinated to this CONTRACT through a Subordination Agreement provided and approved by the STATE, signed by all parties involved in the transaction, and recorded in the County Records against the fee title of the project property.

**N. Section Headings**

The headings and captions of the various sections of this CONTRACT have been inserted only for the purpose of convenience and are not a part of this CONTRACT and shall not be deemed in any manner to modify, explain, or restrict any of the provisions of this CONTRACT.

**O. Waiver**

Any failure by a party to enforce its rights under this CONTRACT, in the event of a breach, shall *not* be construed as a waiver of said rights; and the waiver of any breach under this CONTRACT shall *not* be construed as a waiver of any subsequent breach.

GRANTEE

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AUTHORIZED REPRESENTATIVE Signature Date

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Print Name and Title

STATE OF CALIFORNIA DEPARTMENT OF PARKS AND RECREATION

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AUTHORIZED REPRESENTATIVE Signature Date

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Print Name and Title



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** Community Development Department  
**SUBJECT:** **Public Hearing: Request for a Development Review Permit for a New Single-Story Single-Family Residence and Attached One-Car Garage at 778 W. Solana Circle (Case # DRP20-007 Applicant: Philip Wilkinson; Resolution No. 2020-135)**

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## **BACKGROUND:**

The Applicant, Philip Wilkinson, is requesting Council approval of a Development Review Permit (DRP) to demolish an existing single-story, single-family residence and attached garage to construct a new 1,900 square-foot, single-story, single-family residence and attached garage, and perform associated site improvements. The 4,702 square-foot lot is located at 778 West Solana Circle and is within the Medium Residential (MR) Zone and Park Del Mar Development.

The Applicant proposes aggregate grading in the amount of 97 cubic yards. The maximum building height is proposed at 15.85 feet above existing grade and 186.00 feet above mean sea level (MSL). The project requires a DRP for construction in excess of 60 percent of the maximum allowable floor area.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicant's request as contained in Resolution 2020-135 (Attachment 1).

## **DISCUSSION:**

The subject property is located on the east side of West Solana Circle. The 4,702 square-foot lot is generally rectangular in shape, though slightly trapezoidal, fronting on West Solana Circle to the west, with residential properties to the north, south and east.

The topography of the subject site slopes down from the rear of the property to West Solana Circle with an approximately 1-foot grade differential. The front yard is flat and the finished floor of the existing garage and residence are at the same elevation as the street.

CITY COUNCIL ACTION:

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**AGENDA ITEM B.1.**

The site is currently developed with a 1,500 square-foot, single-story, single-family residence with an attached 215 square-foot carport. The Applicant proposes to demolish the existing residence and carport to construct a new 1,900 square-foot, single-story, single-family residence, with a roof deck over an attached one-car garage and one uncovered parking space. A single-family residence is required to provide two off-street parking spaces pursuant to Solana Beach Municipal Code (SBMC) Section 17.52.040 and the Off-Street Parking Design Manual (OSPDM). The proposed 292 square foot garage and the uncovered parking space would allow for two conforming parking spaces. Since the parking space provided in the proposed garage would comply with the OSPDM, the project would qualify for a 200 square foot floor area exemption. Therefore, the total proposed floor area would be 1,992 square feet. The maximum proposed building height would be 15.85 feet above existing grade. The project would also include associated site improvements including grading, a patio, and landscaping.

The property is zoned MR, however, it is also located in the Park Del Mar Development, which has specific development regulations (Attachment 3) set forth in a Use Permit issued in 1963 by the County of San Diego prior to the City's incorporation. At the request of the Park Del Mar Homeowner's Association, the Solana Beach City Council approved a Conditional Use Permit in 2001 to modify the Use Permit issued by the County to clarify the specific development regulations, which differ from the underlying zone. The Park Del Mar Development regulations, therefore, supersede those of the MR Zone. The primary use of each site in the development is limited to one detached, single-family dwelling with one garage or carport. Each dwelling unit is limited to a maximum of 2,000 square feet and the garage or carport to a maximum of 600 square feet. In addition, the overall square footage on the site cannot exceed 2,400 square feet. In accordance with underlying SBMC Zoning regulations, detached accessory structures are permitted and are deducted from the total allowed garage or carport square footage. The regulations also limit all structure heights to 16 feet above the lower of finished or proposed grade. Specific setback dimensions are also provided for each lot in the community. As proposed, the project complies with the regulations of the Park Del Mar Development. The project plans are provided in Attachment 2.

Table 1 (below) provides a comparison of the Park Del Mar Development regulations with the Applicant's proposed design.

<b>Table 1</b>			
<b>LOT INFORMATION</b>			
<b>Property Address:</b>	778 W Solana Cir.	<b>Zoning Designation:</b>	Park Del Mar (MR)
<b>Lot Size:</b>	4,702 SF	<b># of Units Allowed:</b>	1 Dwelling Unit
<b>Max. Allowable Living SF</b>	2,000 SF	<b># of Units Requested:</b>	1 Dwelling Unit
<b>Max. Allowable Garage SF</b>	600 SF	<b>Setbacks:</b>	<b>Required</b> <b>Proposed</b>
<b>Max. Allowable Total SF</b>	2,400 SF	Front	10' - 0"      10' - 1 1/4"
<b>Proposed Total SF</b>	1,992 SF	Side (north)	5' - 0"      5' - 1 1/4"
<b>Below Max. SF by</b>	408 SF	Side (south)	5' - 0"      5' - 6"
<b>Max. Allowable Height:</b>	16.00 ft	Rear	10' - 0"      10' - 11"
<b>Max. Proposed Height:</b>	15.85 ft		
<b>Highest Point/Ridge:</b>	186.00 MSL		
<b>PROPOSED PROJECT INFORMATION</b>			
<b>Square Footage / Floor Area Breakdown:</b>		<b>Required Permits:</b>	
Proposed Living Area:	1,900 SF	<b>DRP:</b> A DRP is required for construction in excess of 60% of the maximum allowable floor area.	
Proposed Garage:	292 SF		
Subtotal:	2,192 SF		
Garage Exemption:	- 200 SF		
Total Proposed Floor Area:	1,992 SF		
<b>Proposed Grading:</b> Excavation for Building/Wall Footings: 15 yd <sup>3</sup> ; Removal and Recompaction: 82 yd <sup>3</sup>			
<b>Proposed Parking:</b> Attached one-car garage, one uncovered parking space		<b>Existing Development:</b> Single-Family Residence and Carport	
<b>Proposed Fences and Walls:</b> Yes			
<b>Proposed Accessory Structure:</b> No			

Development Review Permit Compliance (SBMC Section 17.68.40):

A DRP is required because the total proposed floor area exceeds 60% of the maximum allowable. The total floor area proposed is 1,992 square feet and 2,400 square feet is the maximum. Therefore, the proposal is 83% of the allowable floor area.

In addition to meeting the Park Del Mar Development specific regulations and any other underlying 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 following is a discussion of the findings for a DRP as each applies to the proposed project as well as reference to recommended conditions of approval contained in Resolution 2020-135. The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made:

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.

In addition to meeting zoning requirements, the project must also be found in compliance with development review criteria. 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 Medium Residential (MR) Zone and Park Del Mar Development. Properties surrounding the lot are located within the same zone and also part of the Park Del Mar Development. They are developed with single-story, single-family residences. The project site is currently developed with a single-story, single-family residence and carport. The Applicant proposes to demolish the existing structure and replace it with a single-story, single-family residence with an attached one-car garage.

As designed, the project is consistent with the specific development standards of the Park Del Mar Development as well as the permitted uses of the underlying MR Zone as described in SBMC Sections 17.20.010 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 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. 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 site is currently developed with a 1,500 square-foot, single-story, single-family residence and a carport located on a flat building pad at approximately the same elevation as the street. The Applicant proposes to demolish the existing residence and carport and construct a new 1,900 square-foot, single-story, single-family residence with a roof deck over an attached one-car garage. The garage is proposed to be located at the northwest corner of the lot and would be accessed from West Solana Circle.

The Park Del Mar Development regulations allow reduced setback areas as compared to the underlying MR Zone. A 10-foot setback is required for the front and rear yards and 5-foot setback for each side yard. The regulations also limit maximum structure height to 16 feet measured from the lower of existing or finished grade. The project would comply with the setbacks and height restrictions set forth in the Park Del Mar Development Regulations.

The 1,900 square-foot residence will consist of a great room, kitchen, master suite, guest bedroom, bathroom, office, and laundry room. The proposed development also includes a patio and landscaping.

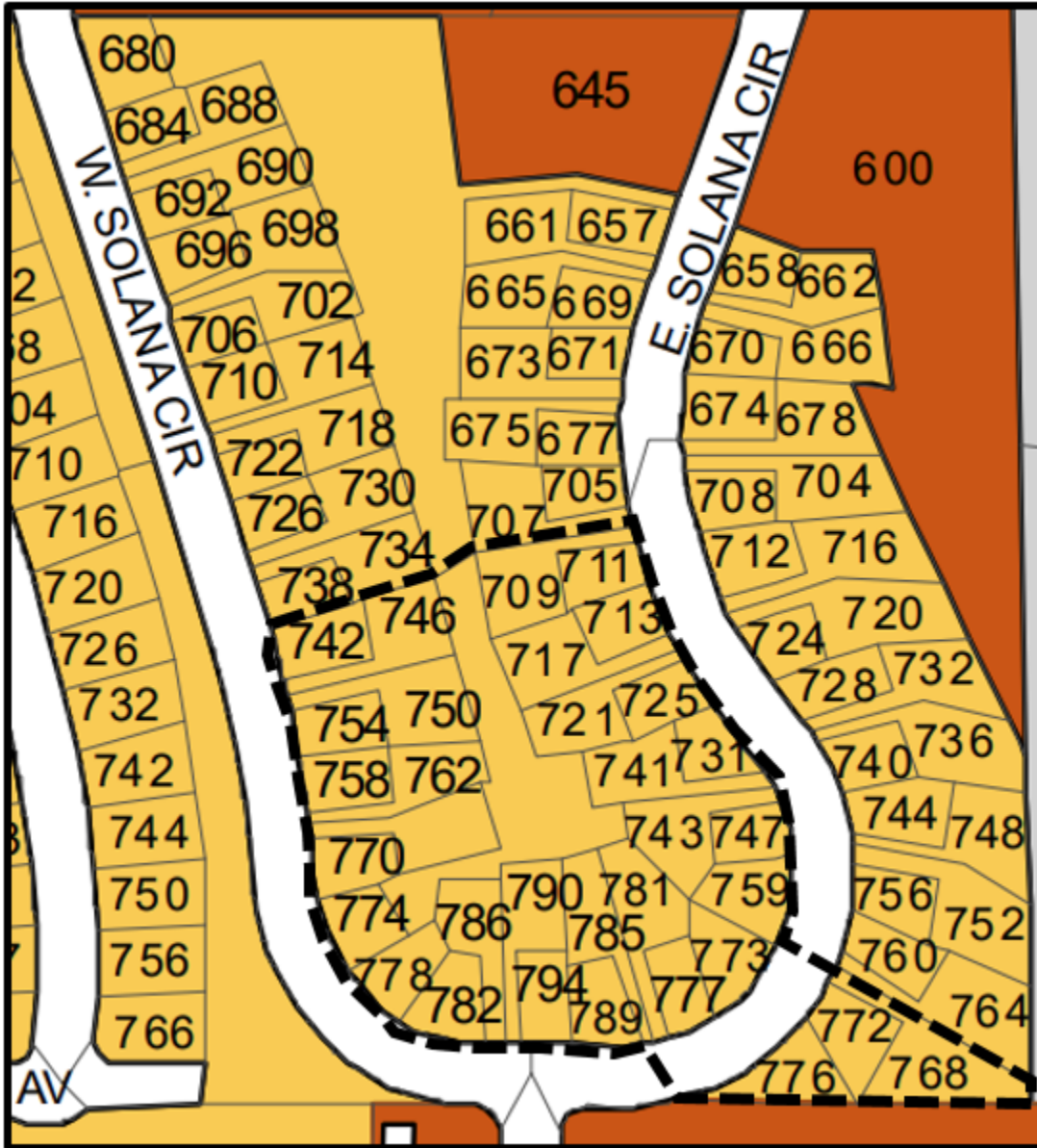
The proposed improvements consist of a new single-family residence and an attached garage. Pedestrian and vehicular access would be maintained on the southern side of the residence from the existing shared driveway.

The SBMC parking regulations require two (2) off-street parking spaces, 9' x 19' clear, per single-family residence. The SBMC indicates that when required spaces are provided in a garage, up to 200 square feet of floor area is exempted for each required space. As designed, the propose residence would provide two (2) parking spaces, one in a 292 square-foot garage, and one uncovered parking space located west of the garage and outside the required front yard setback. Therefore, the project is afforded a 200 square-foot exemption and the total proposed floor area would be 1,992 square feet, which is 408 square feet under the maximum allowable floor area for the lot pursuant to Park Del Mar Regulations.

The proposed project, as designed, meets the minimum required front-, interior side-, and rear-yard setbacks.

### **Neighborhood Comparison:**

Staff compared the proposed project to 31 other properties within the surrounding area. As shown on the following Zoning Map, they include other properties in the Park Del Mar Development along West Solana Circle and East Solana Circle.



The properties evaluated in this comparison are located in the MR Zone and the Park Del Mar Development. The existing homes range in size from 1,210 square feet to 2,016 square feet, according to the County Assessor records. It should be noted that the County Assessor does not include garages, covered porches, unfinished basements or accessory buildings 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 garage as follows:

Project Gross Building Area:	2,192 ft <sup>2</sup>
Delete Garage Area:	- 292 ft <sup>2</sup>
Project Area for Comparison to Assessor's Data	1,900 ft <sup>2</sup>

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	742 W SOLANA CIR	4,500	1,920		2,400	MR/PDM
2	746 W SOLANA CIR	7,600	1,437		2,400	MR/PDM
3	750 W SOLANA CIR	8,000	2,016		2,400	MR/PDM
4	754 W SOLANA CIR	4,300	1,372		2,400	MR/PDM
5	758 W SOLANA CIR	4,200	1,262		2,400	MR/PDM
6	762 W SOLANA CIR	7,200	1,240		2,400	MR/PDM
7	766 W SOLANA CIR	7,100	1,420		2,400	MR/PDM
8	770 W SOLANA CIR	4,700	1,869		2,400	MR/PDM
9	774 W SOLANA CIR	4,800	1,267		2,400	MR/PDM
<b>10</b>	<b>778 W SOLANA CIR</b>	<b>4,700</b>	<b>1,240</b>	<b>1,900</b>	2,400	<b>MR/PDM</b>
11	782 W SOLANA CIR	4,700	1,397		2,400	MR/PDM
12	786 W SOLANA CIR	6,000	1,454		2,400	MR/PDM
13	790 W SOLANA CIR	6,700	1,210		2,400	MR/PDM
14	794 W SOLANA CIR	4,400	1,627		2,400	MR/PDM
15	789 E SOLANA CIR	4,300	1,574		2,400	MR/PDM
16	781 E SOLANA CIR	6,900	1,992		2,400	MR/PDM
17	777 E SOLANA CIR	4,400	1,795		2,400	MR/PDM
18	773 E SOLANA CIR	5,000	N/A		2,400	MR/PDM
19	759 E SOLANA CIR	6,500	1,379		2,400	MR/PDM
20	747 E SOLANA CIR	4,500	1,330		2,400	MR/PDM
21	743 E SOLANA CIR	6,500	1,810		2,400	MR/PDM
22	741 E SOLANA CIR	6,700	1,262		2,400	MR/PDM
23	731 E SOLANA CIR	4,700	1,777		2,400	MR/PDM
24	725 E SOLANA CIR	4,400	1,262		2,400	MR/PDM
25	721 E SOLANA CIR	7,400	1,210		2,400	MR/PDM
26	717 E SOLANA CIR	8,000	1,987		2,400	MR/PDM
27	713 E SOLANA CIR	4,400	1,542		2,400	MR/PDM
28	711 E SOLANA CIR	4,400	1,247		2,400	MR/PDM
29	709 E SOLANA CIR	7,500	1,709		2,400	MR/PDM
30	768 E SOLANA CIR	9,600	1,940		2,400	MR/PDM
31	772 E SOLANA CIR	5,600	1,643		2,400	MR/PDM
32	776 E SOLANA CIR	7,500	1,955		2,400	MR/PDM

### **Fences, Walls and Retaining Walls:**

Within the front yard setback area, the SBMC 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.

The Applicant is proposing to construct a 6-foot tall fence next to the residence at the north property line. This fence will provide screening of the uncovered parking space from the property to the northwest. As proposed, the fences and walls would comply with the fence and wall regulations. If the Applicant decides to modify any of the design of the proposed fences and walls or construct additional fences and walls, a condition of project approval indicates that they would be required to be in compliance with SBMC 17.20.040(O) and 17.60.070(C) and (D).

### **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 Applicant provided a conceptual landscape plan that has been reviewed by the City's third-party landscape architect, who has recommended approval. The Applicant 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 require two (2) parking spaces for a single-family residence. The Applicant is proposing a 292 square-foot attached garage. The attached garage would provide one off-street parking space that is 9' X 19' and clear of obstruction. The Applicant is also proposing one uncovered parking space that is 10'-6" X 19" and clear of obstruction, therefore, the proposed project would be in compliance with the parking standards. The uncovered parking space will be screened by a 6-foot high fence. In addition, the proposed 292 square foot garage would be less than 600 square feet which is the maximum area permitted by the Park Del Mar regulations.

### **Grading:**

The proposed grading quantities include 15 cubic yards for the excavation for the new footings. Additionally, the project proposed 82 cubic yards of removal and recompaction. The proposed total aggregate amount of grading is 97 cubic yards.

### **Lighting:**

A condition of project approval requires 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 single-family residence, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

### **Structure Development Permit Compliance:**

In accordance with the specific development regulations set forth for the Park Del Mar Development, the residence would not exceed 16 feet in height. Therefore, the Applicant is not required to obtain a Structure Development Permit. The Park Del Mar Development performs an internal review of projects prior to the City's review in which view preservation is taken into consideration. The Applicant installed story poles and obtained authorization from the Park Del Mar Homeowners Association prior to pursuing permit approval from the City.

The project plans show the maximum structure height at 15.85 feet above the adjacent existing grade, or 186.00 feet above mean sea level (MSL).

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Park Del Mar Development regulations, the Zoning regulations, and the General Plan. Staff has prepared draft findings for approval of the project in the attached Resolution 2020-135 for Council's consideration based upon the information in the report. The applicable SBMC sections are provided in the italicized text and conditions from the Community Development, Engineering, and Fire Departments are incorporated in the Resolution of Approval. Additionally, 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. 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.

### **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 November 5, 2020. As of the date of preparation of this Staff Report, Staff has not received any formal correspondence from neighbors or interested parties in support of, or in opposition to, the proposed project.

### **CEQA COMPLIANCE STATEMENT:**

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Section 15303 is a Class 3 exemption for new construction or the conversion of small 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

**WORKPLAN:** N/A

### **OPTIONS:**

- Approve Staff recommendation adopting the attached Resolution 2020-135.
- 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.

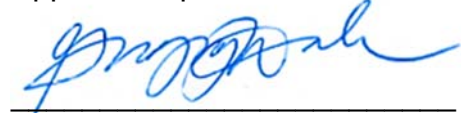
### **DEPARTMENT RECOMMENDATION:**

The proposed project meets the minimum objective requirements under the Park Del Mar Development regulations and the underlying SBMC, could be found to be consistent with the General Plan and could be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP. 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 2020-135 conditionally approving a DRP to allow for the construction of a new 1,992 square-foot one-story, single-family residence and garage at 778 West Solana Circle.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.



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Gregory Wade, City Manager

Attachments:

1. Resolution 2020-135
2. Project Plans
3. Park Del Mar Development Regulations

**RESOLUTION NO. 2020-135**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT FOR THE CONSTRUCTION OF A NEW 1,992 SQUARE FOOT SINGLE-FAMILY RESIDENCE WITH AN ATTACHED ONE-CAR GARAGE AND ASSOCIATED IMPROVEMENTS ON A PROPERTY WITHIN THE PARK DEL MAR DEVELOPMENT, LOCATED AT 778 WEST SOLANA CIRCLE, SOLANA BEACH**

**APPLICANT: Philip Wilkinson**  
**CASE NO.: DRP 20-007**

**WHEREAS**, Philip Wilkinson (hereinafter referred to as “Applicant”) has submitted an application for a Development Review Permit (DRP) 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 November 18, 2020, the City Council received and considered evidence concerning the proposed application; 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 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 resolve as follows:

1. That the foregoing recitations are true and correct.
2. That the project is exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines.
3. That the request for a DRP to construct a new 1,992 square-foot single-story, single-family residence and attached one car garage on a 4,702 square-foot lot in the Medium Residential (MR) Zone and Park Del Mar Development, is conditionally approved based upon the following Findings and subject to the following Conditions:
4. 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:

**ATTACHMENT 1**



- 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 Medium Density Residential, which allows for five to seven dwelling units per acre. Further, 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.

Zoning Ordinance Consistency: The proposed project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) Permitted Uses and Structures (SBMC 17.20.020), which provides for use of the property as a single-family residence. The proposed project also adheres to the specific development regulations established for the Park Del Mar Development.

The design of the project is consistent with the provisions for minimum setbacks, the maximum 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 where feasible, complimentary to existing and potential development in the immediate vicinity of the project site. Site planning on the perimeter of the development shall give consideration to the protection of surrounding areas from potential adverse effects, as well as protection of the property from adverse surrounding influences.*

The project is consistent with the permitted uses and development standards of the Park Del Mar Development Regulations and the underlying Medium Residential (MR) Zone as described in SBMC Sections 17.20.010 and 17.12.020. 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 Coastal Zone. The Applicant is required to obtain a Coastal Development

Permit, Waiver or Exemption from the California Coastal Commission (CCC) prior to the issuance of a Building Permit.

- b. *Building and Structure Placement: Buildings and structures shall be sited and designed in a manner which visually and functionally enhances their intended use.*

The site is currently developed with a 1,500 square-foot, single-story, single-family residence and a carport located on a flat building pad at approximately the same elevation as the street. The Applicant proposes to demolish the existing residence and carport and construct a new 1,900 square-foot, single-story, single-family residence with a roof deck over an attached one-car garage. The garage is proposed to be located at the northwest corner of the lot and would be accessed from West Solana Circle.

The Park Del Mar Development regulations allow reduced setback areas as compared to the underlying MR Zone. They also limit maximum structure height to 16 feet measured from the lower of existing or finished grade. The project would comply with the setbacks and height restrictions set forth in the Park Del Mar Development Regulations.

The 1,900 square-foot residence will consist of a great room, kitchen, master suite, guest bedroom, bathroom, office, and laundry room. The proposed development also includes a patio and landscaping.

The proposed improvements consist of a new single-family residence and an attached garage. Pedestrian and vehicular access would be maintained on the southern side of the residence from the existing shared driveway.

The SBMC parking regulations require two (2) off-street parking spaces, 9' x 19' clear, per single-family residence. The SBMC indicates that when required spaces are provided in a garage, up to 200 square feet of floor area is exempted for each required space. As designed, the proposed residence would provide two (2) parking spaces, one in a 292 square-foot garage and one uncovered parking space located west of the garage and outside the required front yard setback. Therefore, the project is afforded a 200 square-foot exemption and the total proposed floor area would be 1,992 square feet, which is 408 square feet under the maximum allowable floor area for the lot pursuant to Park Del Mar Regulations.

The proposed project, as designed, meets the minimum required front-, interior side-, and rear-yard setbacks.

- 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. Trees and other large plantings shall not obstruct significant views when installed or at maturity.*

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 Applicant provided a conceptual landscape plan that has been reviewed by the City's third-party landscape architect, who has recommended approval. The Applicant 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.

- 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 require two (2) parking spaces for a single-family residence. The Applicant is proposing a 292 square-foot attached garage. The attached garage would provide one off-street parking space that is 9' X 19' and clear of obstruction. The Applicant is also proposing one uncovered parking space that is 10'-6" X 19" and clear of obstruction, therefore, the proposed project would be in compliance with the parking standards. The uncovered parking space will be screened by a 6-foot high fence. In addition, the proposed 292 square foot garage would be less than 600 square feet which is the maximum area permitted by the Park Del Mar regulations.

- 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 15 cubic yards for the excavation for the new footings. Additionally, the project proposes 82 cubic yards of removal and recompaction. The proposed total aggregate amount of grading is 97 cubic yards.

- 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 single-family residence, 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 DRP. As a condition of project approval, the Applicant will be required to obtain approval from the CCC prior to issuance of Building Permits.

The project will not exceed 16 feet above the existing grade; therefore, a Structure Development Permit (SDP) is not required.

- 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.

## 5. 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. The Applicant shall pay required Public Facilities, Fire Mitigation, Park Development and Public Use Facilities Impact Fees, as established by SBMC Chapter 17.72.020, Chapter 15.60, Chapter 15.65, Chapter 15.66, and Resolutions 1987-36 and 2018-147.
- II. Building Permit plans must be in substantial conformance with the plans presented to the City Council on November 18, 2020 and located in the project file with a submittal date of June 8, 2020.
- III. Prior to requesting a framing inspection, the Applicant shall submit a height certification, signed by a licensed land surveyor, certifying that the building envelope is in conformance with the plans as approved by the City Council on November 18, 2020 and will not exceed 15.85 feet in height above the existing grade or 186.00 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 Applicant shall obtain required 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. 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.
- VII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060. 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.

- VIII. Construction vehicles shall be parked on the subject property at all times when feasible. If construction activity prohibits parking on the subject property, the Applicant shall ensure construction vehicles are parked in such a way to allow sufficient vehicular and pedestrian access on the street and minimize impact to the surrounding neighbors.
  - IX. The Applicant shall connect to temporary electrical service as soon as feasible to the satisfaction of the City. The use of gas-powered generator(s) during construction activity is discouraged and shall be limited only to selective use at the discretion of the City.
- B. Fire Department Conditions: Please note that this list provides detailed Fire Department requirements and is not meant to be an all-inclusive plan check list of the Fire Department comments.
- 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.
  - II. **OBSTRUCTION OF ROADWAYS DURING CONSTRUCTION:** All roadways shall be a minimum of 20 feet in width during construction and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Solana Beach Fire Department.
  - III. **ADDRESS 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" high with a ½" inch stroke width for residential buildings, 8" high with a ½" stroke for commercial and multi-family residential buildings, 12" high with a 1" 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.

- IV. 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.
- V. 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 Applicant is required to provide the following improvements to the satisfaction of the City Engineer prior to the occupancy of the proposed project:

Frontage Improvements:

- a. Construction of a 4-foot wide Stabilized, Compacted Decomposed Granite graded at 2% towards the curb for walking and parking purposes.
- b. Construction of San Diego Regional Standard Drawings (SDRSD) driveway approach.
- c. Construction of the proposed underdrain outlet pipes.
- d. Replacement of any damaged portion of the existing concrete curb if necessary.

The Applicant is required to obtain an Encroachment Permit in accordance with SBMC Section 11.20 for the above improvements being done in the public right-of-way.

- II. 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.
- III. Construction fencing shall be located on the subject property unless the Applicant has obtained an Encroachment Permit in accordance with chapter 11.20 of the SBMC which allows otherwise.

GRADING:

- IV. The Applicant shall obtain a Grading Permit in accordance with Chapter 15.40 of the Solana Beach Municipal Code. Conditions prior to the issuance of a grading permit shall include, but not be limited to, the following:

- a. The Applicant shall obtain a grading plan prepared by a Registered Civil Engineer and approved by the City Engineer. On-site grading design and construction shall be in accordance with Chapter 15.40 of the Solana Beach Municipal Code.
- b. The Applicant shall obtain a Soils Report prepared by a Registered Soils Engineer and approved by the City Engineer. All necessary measures shall be taken and implemented to assure slope stability, erosion control and soil integrity. The grading plan shall incorporate all recommendations contained in the soils report.
- c. The Applicant shall provide a Drainage Report prepared by a Registered Civil Engineer. This report shall address the design for detention basin and corresponding outflow system to ensure the rate of runoff for the proposed development is at or below that of pre-existing condition. All recommendations of this report shall be incorporated into the Preliminary Grading Plan.
- d. The Applicant shall show all retaining walls and drainage structures. Retaining walls shown on the grading plan shall conform to the San Diego Regional Standards or be designed by a licensed civil engineer. Engineering calculations for all designed walls with a surcharge and nonstandard walls shall be submitted at grading plan check. Retaining walls may not exceed the allowable height within the property line setback as determined by the City of Solana Beach Municipal Code. Contact the Community Development department for further information.
- e. The Applicant is responsible to protect the adjacent properties during construction. If any grading, construction activity, access or potential construction-related impacts are anticipated beyond the property lines, as determined by the City Engineer, the Applicant shall obtain a letter of permission from the adjoining property owners. All required letters of permission shall be submitted to the City Engineer prior to the issuance of the grading permit.
- f. The Applicant shall pay a grading plan check fee in accordance with the current Engineering Fee Schedule at initial grading plan submittal. Inspection fees shall be paid prior to issuance of the grading permit.
- g. The Applicant shall obtain and submit grading security in a form prescribed by the City Engineer.
- h. The Applicant shall obtain haul permit for import / export of soil. The Applicant shall transport all excavated material to a legal disposal site.



- i. The Applicant shall submit certification from the Engineer of Record and the Soils Engineer that all public or private drainage facilities and finished grades are functioning and are installed in accordance with the approved plans. This shall be accomplished by the Engineer of Record incorporating as-built conditions on the Mylar grading plans and obtaining signatures of the Engineer of Record and the Soils Engineer certifying the as-built conditions.
  - j. An Erosion Prevention and Sediment Control Plan shall be prepared by the Applicant. 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 sediment on site.
  - k. The Applicant shall show all proposed on-site private drainage facilities intended to discharge water run-off. Elements of this design shall include a hydrologic and hydraulic analysis verifying the adequacy of the facilities and identify any easements or structures required to properly convey the drainage. The construction of drainage structures shall comply with the standards set forth by the SDRSD.
  - l. Post Construction Best Management Practices meeting City and RWQCB Order No. R9-2013-001 requirements shall be implemented in the drainage design.
  - m. Prior to obtaining a building permit, submit a building pad certification statement from a soils engineer and an engineer or land surveyor licensed in Land Surveying per SBMC 15.40.230E.
  - n. No increased cross lot drainage shall be allowed.
  - o. The building permit shall be issued concurrently with the grading permit.
6. 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 1.16 and 1.18 in addition to any applicable revocation proceedings.
7. EXPIRATION: The DRP for the project will expire 24 months from the date of this Resolution, unless the Applicant has 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, subject to SBMC Section 17.72.110.

8. **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 the 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, the 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 the Applicant.

**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 special meeting of the City Council of the City of Solana Beach, California, held on the 18<sup>th</sup> day of November, 2020, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

---

JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

---

JOHANNA N. CANLAS, City Attorney

---

ANGELA IVEY, City Clerk

DATE:

JUNE 4, 2020  
AUG 26, 2020  
SEPT 3, 2020  
OCT 8, 2020

SHEET NO.

1

PROJECT INFORMATION

APN: 298-340-10-00  
SITE ADDRESS:  
778 W. Solana Circle  
Solana Beach, CA 92075

LEGAL DESCRIPTION:  
PARCEL 1:  
LOT 29 OF PARK DEL MAR, ACCORDING TO MAP THEREOF NO. 5070, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 31, 1961

PARCEL 2:  
AN UNDIVIDED 1/159TH INTEREST IN AND TO LOTS A, B, 2, 88 AND 90 OF PARK DEL MAR, ACCORDING TO THE MAP THEREOF NO. 5070 FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO, OCTOBER 31, 1962, INCLUDING AS A PART OF SAID LOTS ANY STRUCTURES, BUILDINGS, IMPROVEMENTS, AND/OR OTHER APPURTENANCES SITUATED THEREON.

SCOPE OF WORK:  
REMOVE EXISTING STRUCTURE. CONSTRUCT A NEW SINGLE FAMILY RESIDENCE WITH AN ATTACHED ONE CAR GARAGE AND ROOF DECK ABOVE GARAGE. SITE WORK INCLUDES FENCING, HARDSCAPE & LANDSCAPE

ZONE:  
MR  
PLANNED RESIDENTIAL DEVELOPMENT  
PARK DEL MAR

FRONT SETBACK: 10'-0"  
SIDE SETBACK: 5'-0"  
STREET SIDE SETBACK: 5'-0"  
REAR SETBACK: 10'-0"

LOT AREA: GROSS 4,702 SF  
NET 4,702 SF

AREA OF WORK  
IRRIGATED LANDSCAPE 1,176 SF  
WATER FEATURE N/A SF  
DECORATIVE HARDSCAPE 117 SF  
AGGREGATED LANDSCAPE AREA 1,293 SF

	EXISTING	PROPOSED
NON-LANDSCAPED AREA:	2,532 SF	3,409 SF
NON-IRRIGATED LANDSCAPE:	N/A SF	N/A SF
IRRIGATED LANDSCAPE:	2,023 SF	1,176 SF
WATER FEATURES:	N/A SF	N/A SF
DECORATIVE HARDSCAPE:	147 SF	117 SF
TOTAL LOT AREA:	4,702 SF	4,702 SF

MAX BUILDING HEIGHT: 16'-0"  
PROPOSED BUILDING HGT: 15'-10 1/4" (15.85')

FLOOR TO AREA RATIO ALLOWABLE:  
0.600 x 4,702 = 2,821 s.f.

PROPOSED BUILDING AREA:

EXISTING RESIDENCE: (TO BE REMOVED)  
LIVING AREA: 1,500 SF  
CAR PORT: 215 SF

PRINCIPLE RESIDENCE 1,900 SF  
PRINCIPLE RESIDENCE GARAGE+STOR: 292 SF  
PRINCIPLE RESIDENCE TOTAL: 2,192 SF

PARKING EXEMPT: -200 SF  
TOTAL FLOOR AREA: 1,992 SF

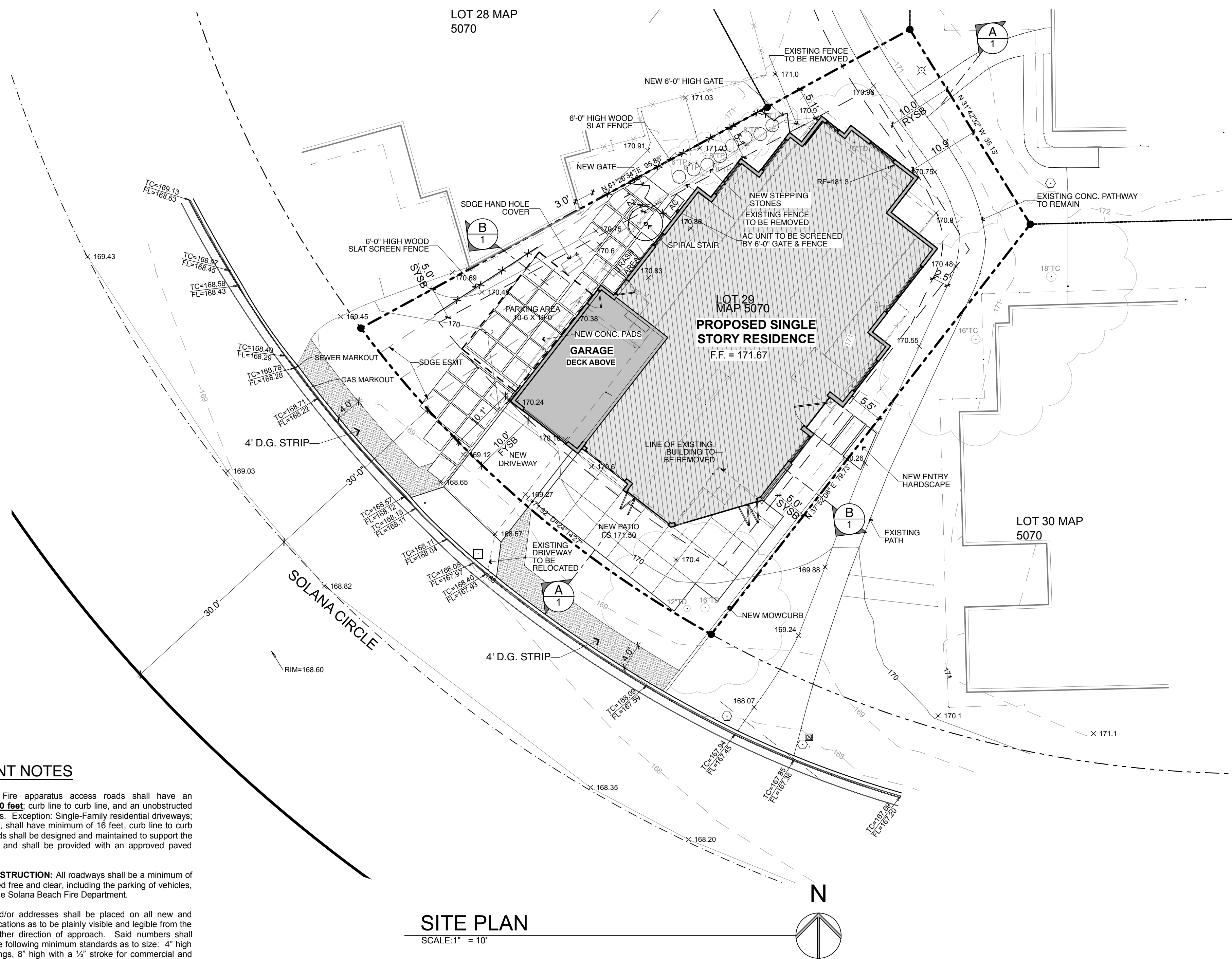
GRADING:

SITE GRADING:  
EXCAVATION FOR THE FOOTINGS: 15 CY  
REMOVAL AND RE-COMPATION: 82 CY  
TOTAL GRADING: 97 CY

TYPE OF CONSTRUCTION: V-B  
FIRE SPRINKLERS: YES

OWNER:  
Philip Wilkinson- The Wilkinson Family Trust  
P.O. Box 2630  
Rancho Santa Fe, CA. 92067  
(858) 442-0900

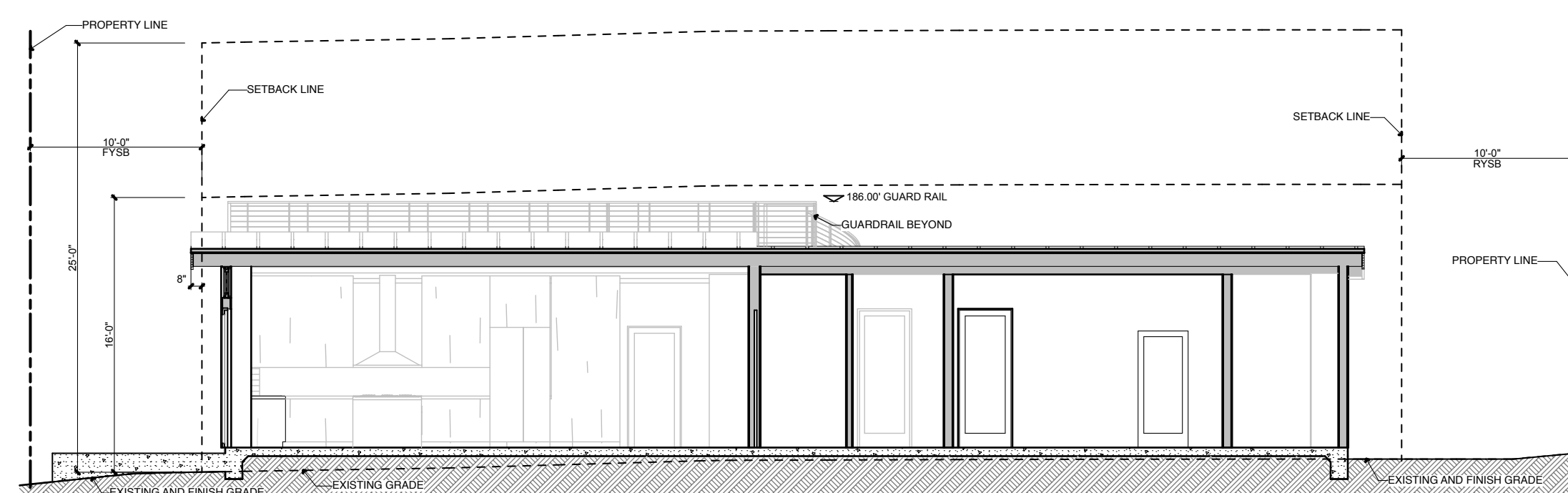
OWNER'S REPRESENTATIVE:  
CRAIG FRIEHAUF  
FRIEHAUF ARCHITECTS INC  
341 SOUTH CEDROS AVE. SUITE F  
SOLANA BEACH, CA. 92075  
858-792-6116



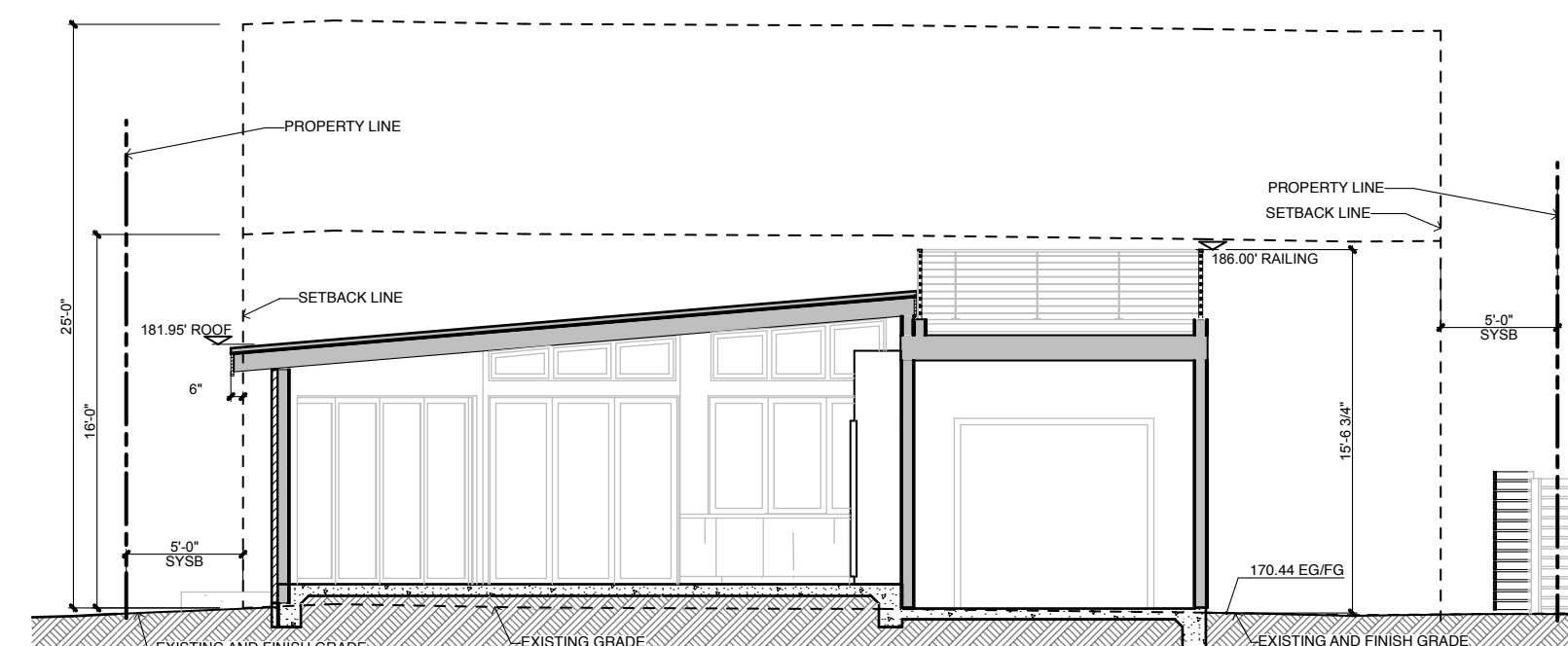
SITE PLAN  
SCALE: 1" = 10'

FIRE DEPARTMENT NOTES

- 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.
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- ADDRESS 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" high with a 1/2" stroke width for residential buildings, 6" high with a 1/2" stroke for commercial and multi-family residential buildings, 12" high with a 1" 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.
- 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.
- CLASS "A" ROOF:** All structures shall be provided with a Class "A" Roof covering to the satisfaction of the Solana Beach Fire Department.

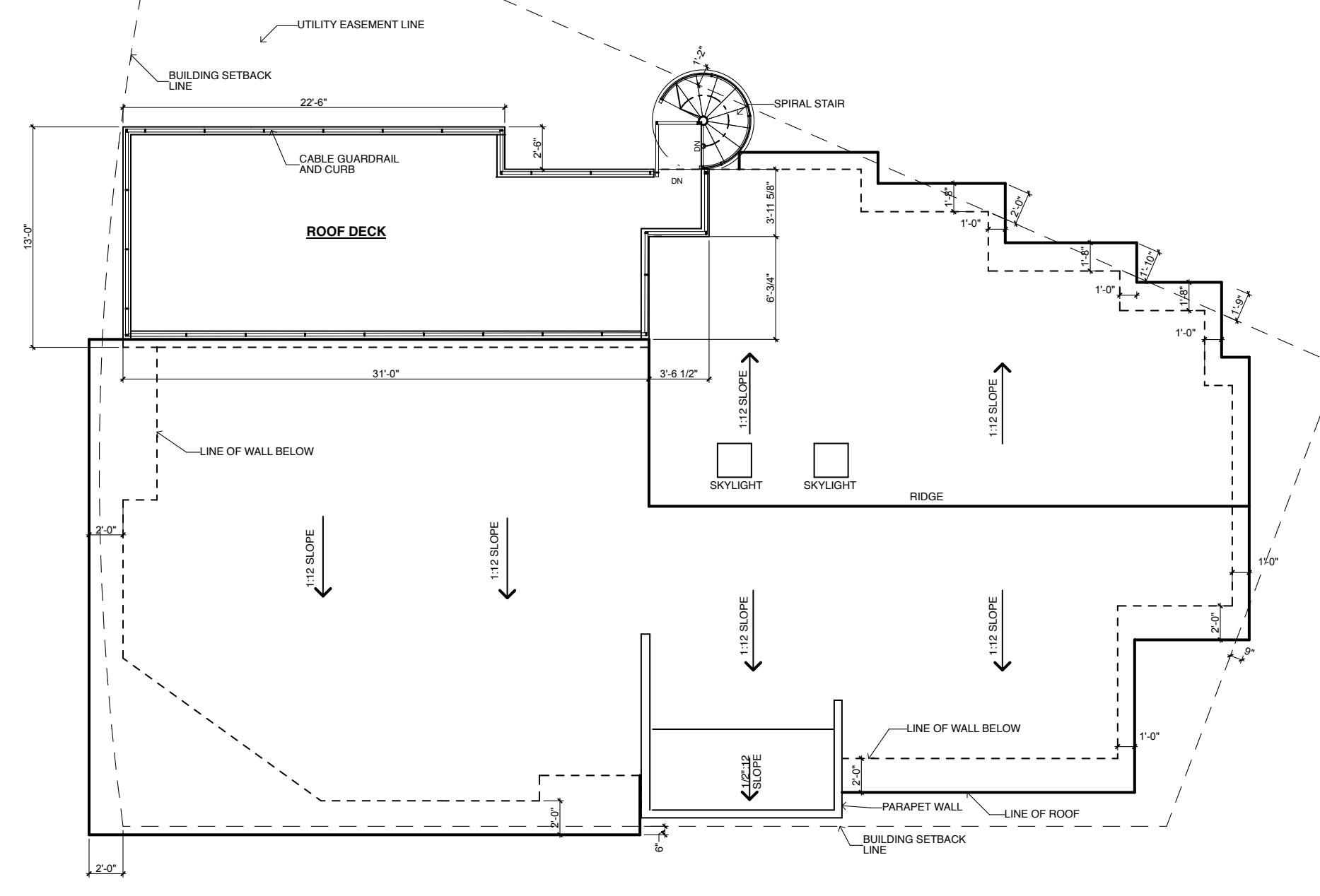


A SITE SECTION  
SCALE: 1/8" = 1'-0"

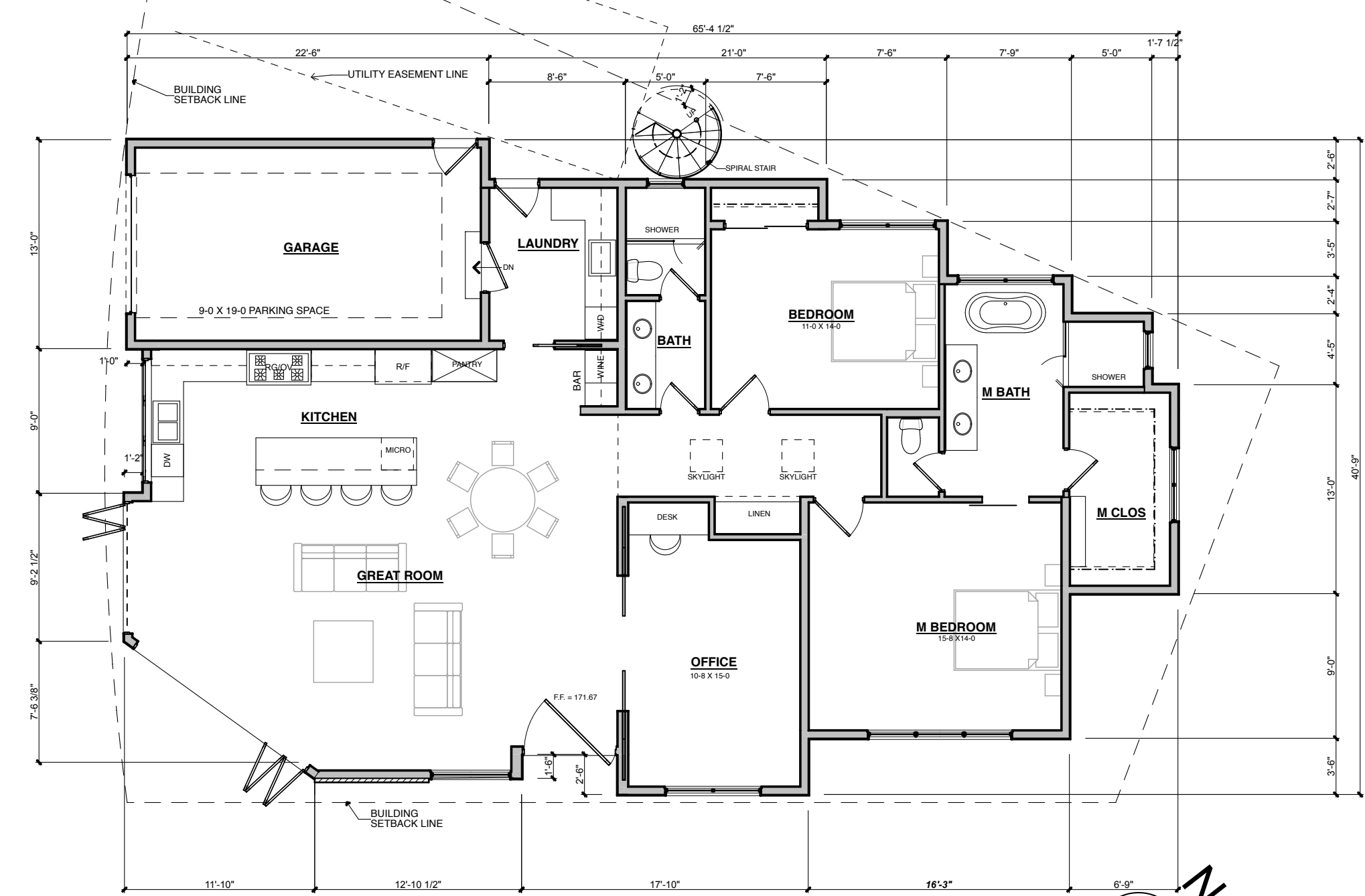
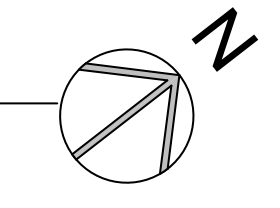


B SITE SECTION  
SCALE: 1/8" = 1'-0"

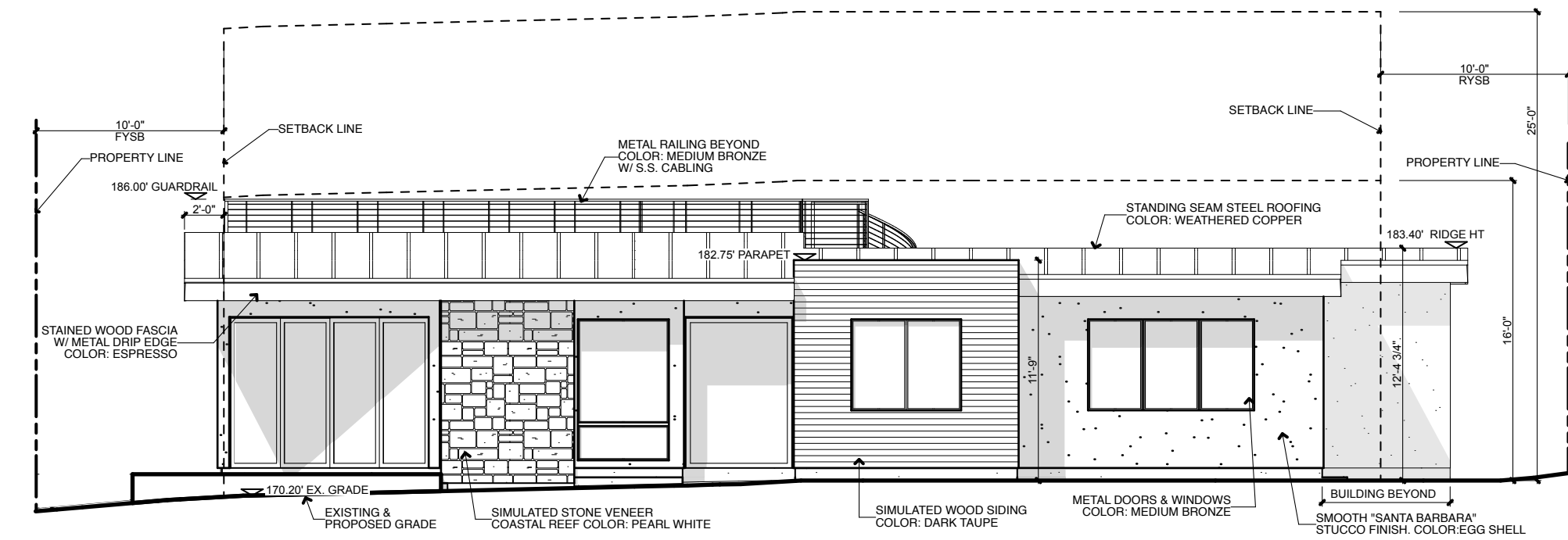
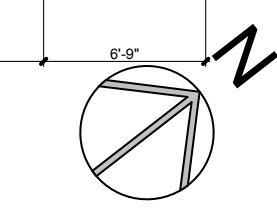
ATTACHMENT 2



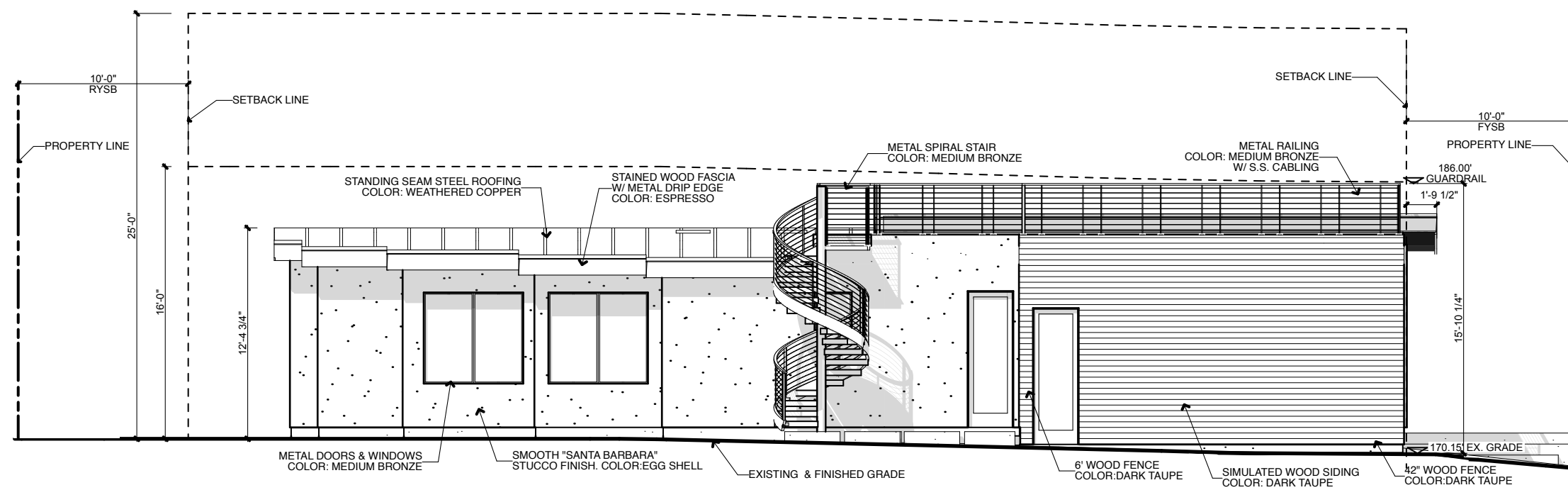
DECK & ROOF PLAN  
SCALE: 1/8" = 1'-0"



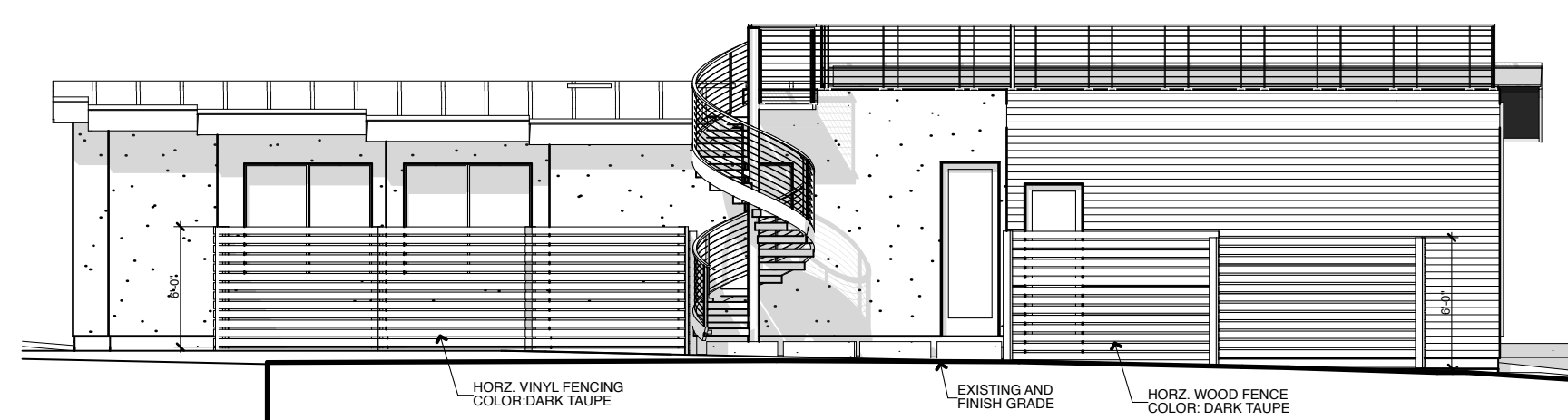
PROPOSED FLOOR PLAN  
SCALE: 1/8" = 1'-0"



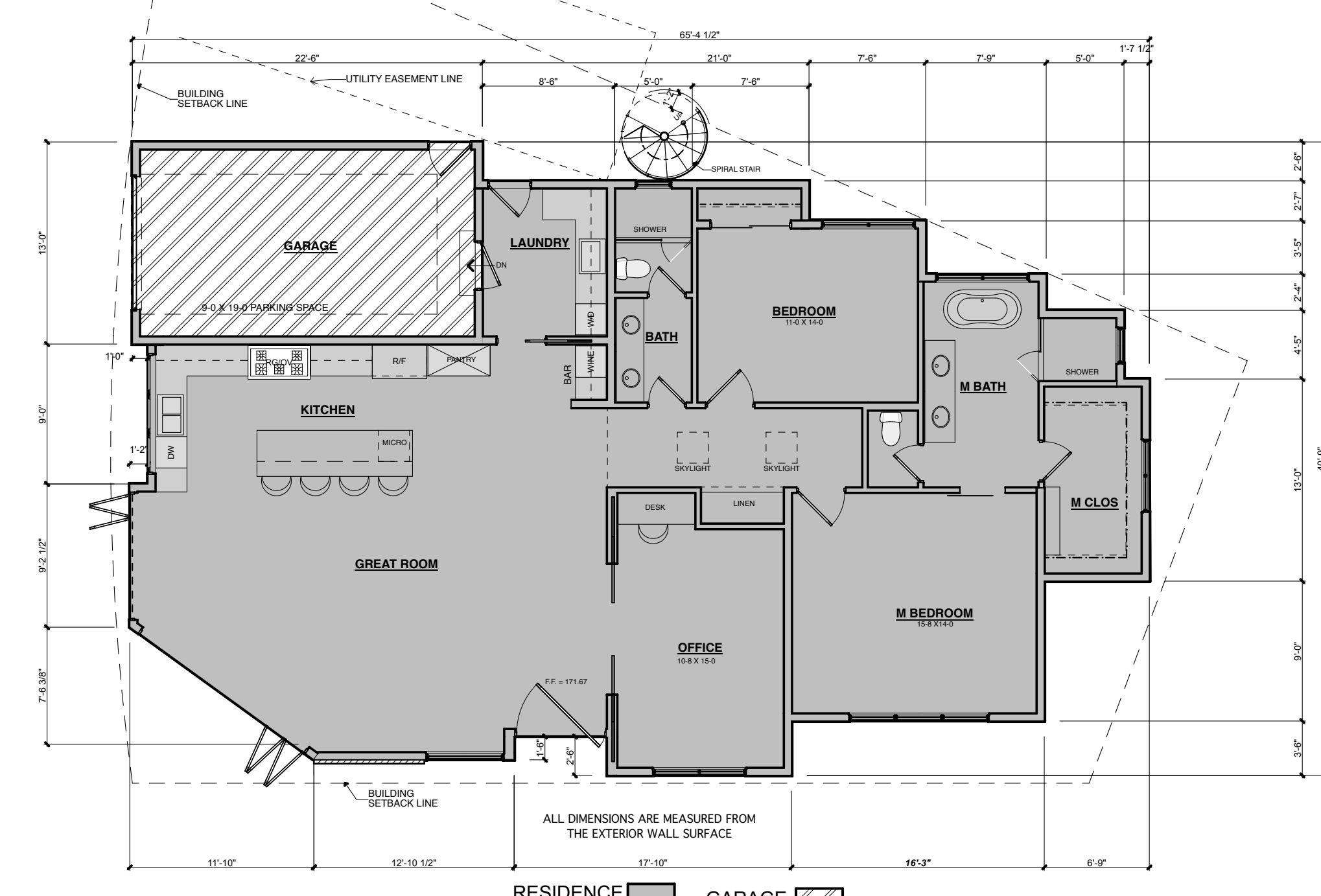
EAST ELEVATION  
SCALE: 1/8" = 1'-0"



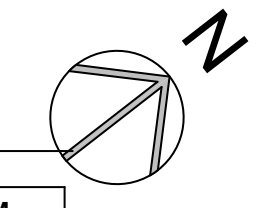
WEST ELEVATION  
SCALE: 1/8" = 1'-0"



WEST ELEV-FENCING  
SCALE: 1/8" = 1'-0"

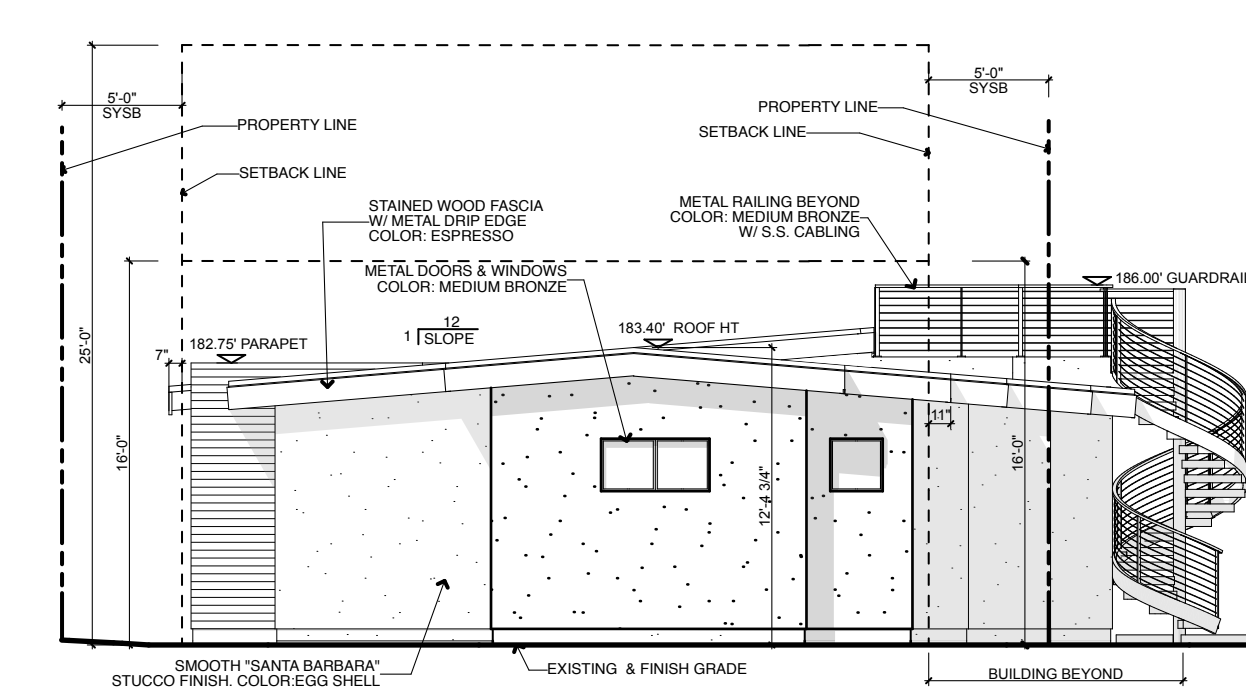


AREA FLOOR PLAN  
SCALE: 1/8" = 1'-0"

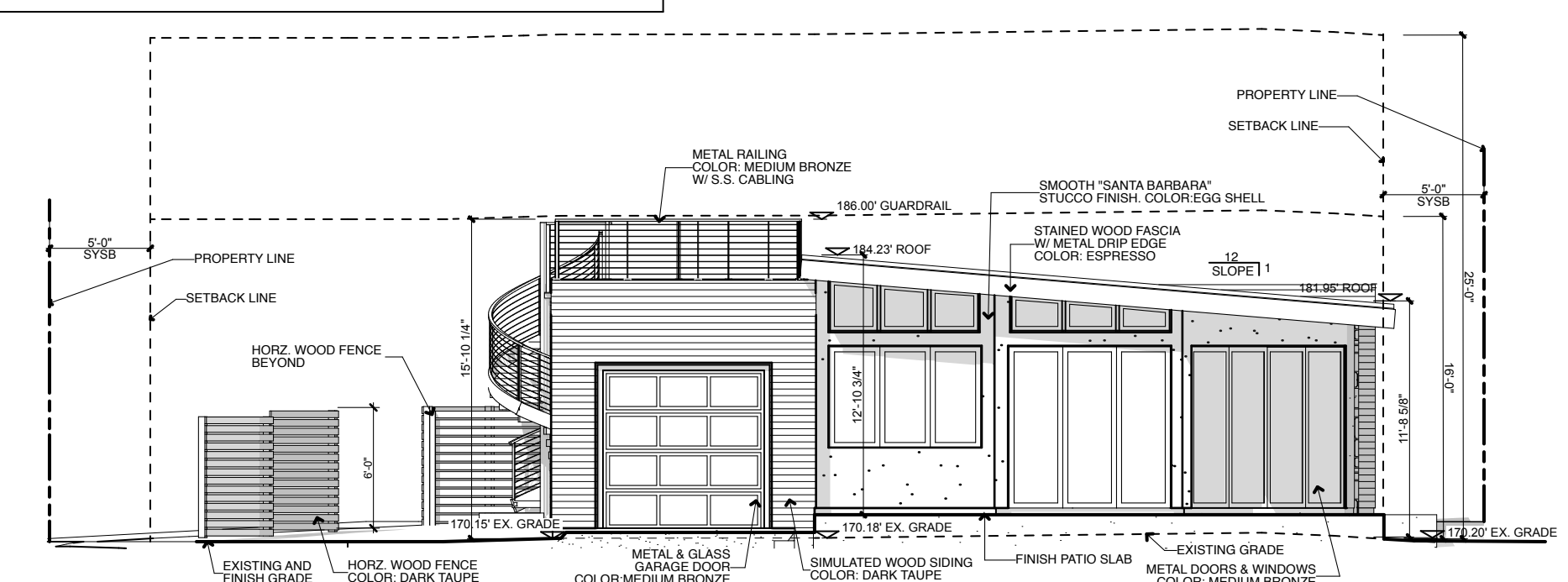


RESIDENCE 1,900 sq ft  
GARAGE 292 sq ft

ALL DIMENSIONS ARE MEASURED FROM THE EXTERIOR WALL SURFACES



NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

# TOPOGRAPHIC SURVEY MAP -- 778 W. SOLANA CIRCLE



**LEGEND**

- FOUND MONUMENT AS INDICATED
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- CENTER LINE
- - - ADJOINING PROPERTY LINE
- - - TIE LINE / REFERENCE LINE
- - - EASEMENT LINE
- x - x - FENCE
- ▬ WALL
- ▬ BUILDING OUTLINE
- - - BUILDING OVERHANG
- - - INDEX CONTOUR LINE
- - - INTERMEDIATE CONTOUR LINE
- ×60.4 SPOT ELEVATION
- ▬ CONCRETE
- ▬ ASPHALT
- ▬ BRICK
- ⊠ METER - WATER
- ⊠ METER - ELECTRIC
- ⊠ METER - GAS
- ⊠ LIGHT POLE
- ⊠ VAULT
- ⊠ UTILITY BOX
- ⊠ FIRE HYDRANT
- ⊠ VALVE - WATER
- ⊠ MH - SANITARY
- ⊠ RISER - COMMUNICATION
- ⊠ TREE - DECIDUOUS
- ⊠ TREE - PALM
- ⊠ TREE - CONIFEROUS
- ▬ VEGETATION
- FF FINISH FLOOR
- RF ROOF

- EASEMENTS OF RECORD**
- TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE COMPANY AS ORDER NUMBER DIV-6033939, DATED AUGUST 26, 2019.
- 1 APPROXIMATE LOCATION OF 10' WIDE EASEMENT TO SDG&E PER DOCUMENT RECORDED 1/2/1964 AS DOCUMENT NUMBER 64-642.
  - 2 CC&R'S PER DOCUMENT RECORDED 6/26/1963 AS DOCUMENT NUMBER 63-89859 & SUBSEQUENT REVISIONS OF OFFICIAL RECORDS.
  - 3 CC&R'S PER DOCUMENT RECORDED 12/11/1962 AS DOCUMENT NUMBER 62-21092 OF OFFICIAL RECORDS.

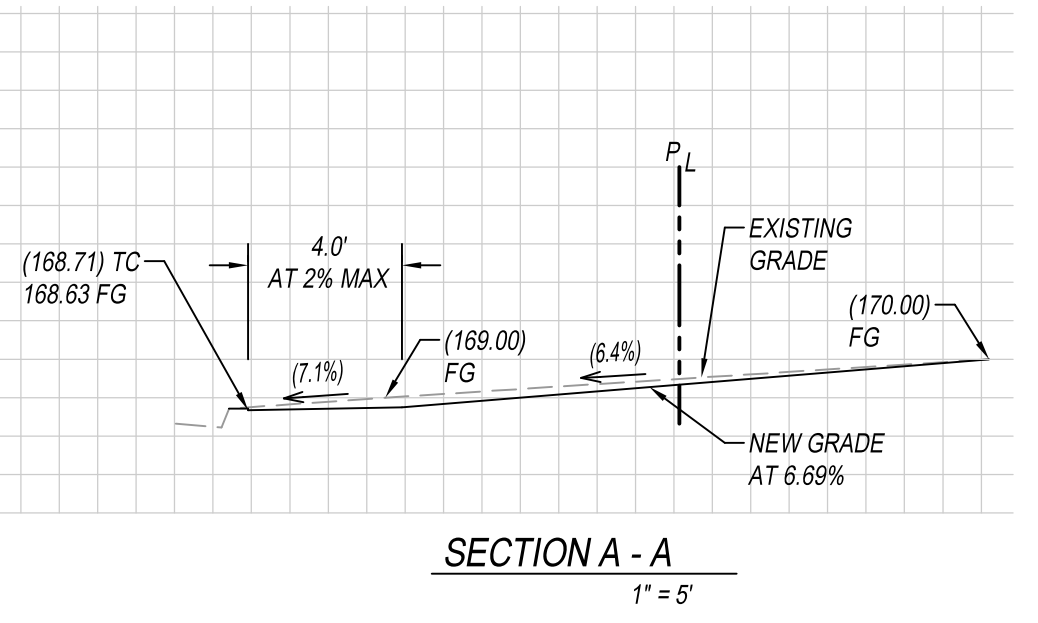
⊠ RIM=167.13

SCALE: 1" = 10'

**PASCO LARET SUITER**  
& ASSOCIATES  
PH. 858.259.8212 | PLSAENGINEERING.COM

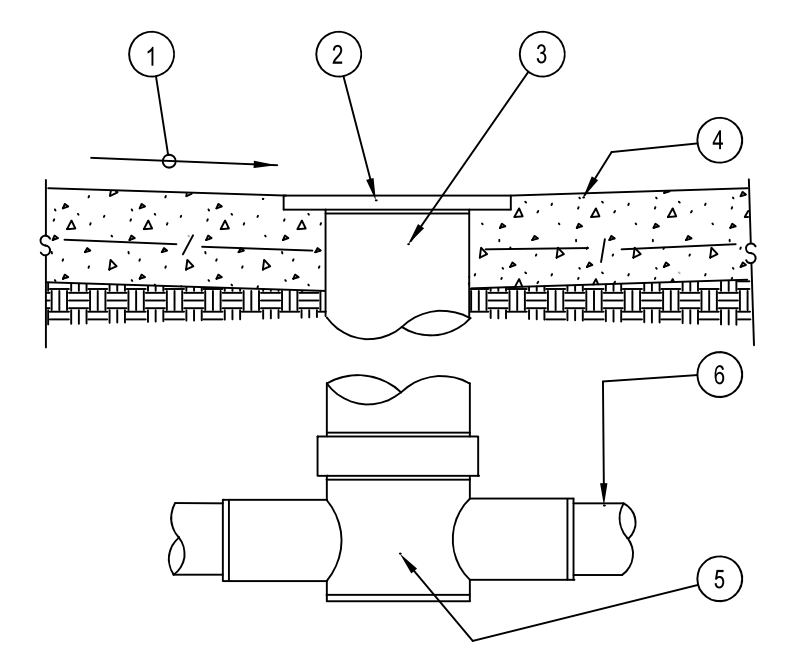
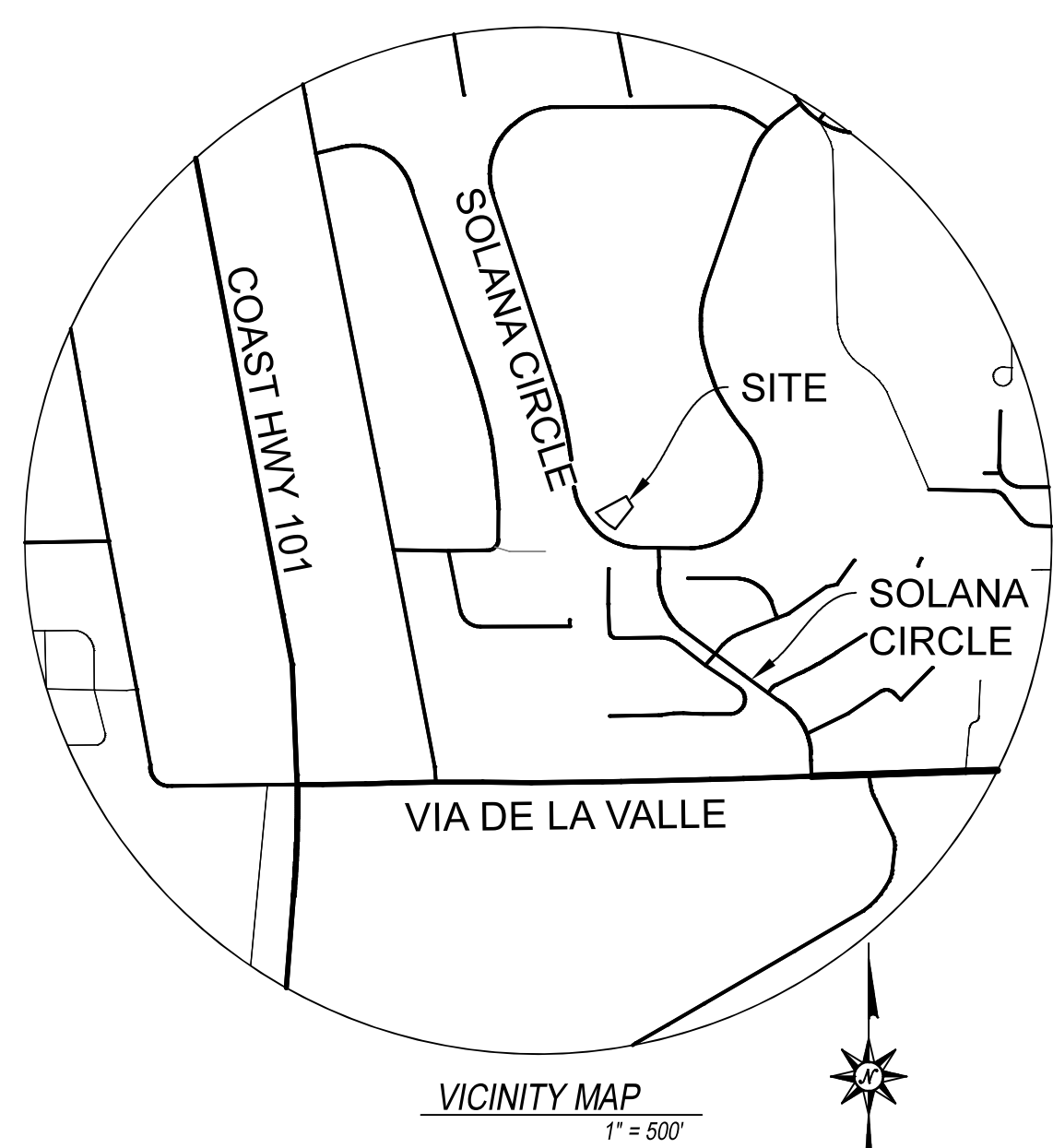
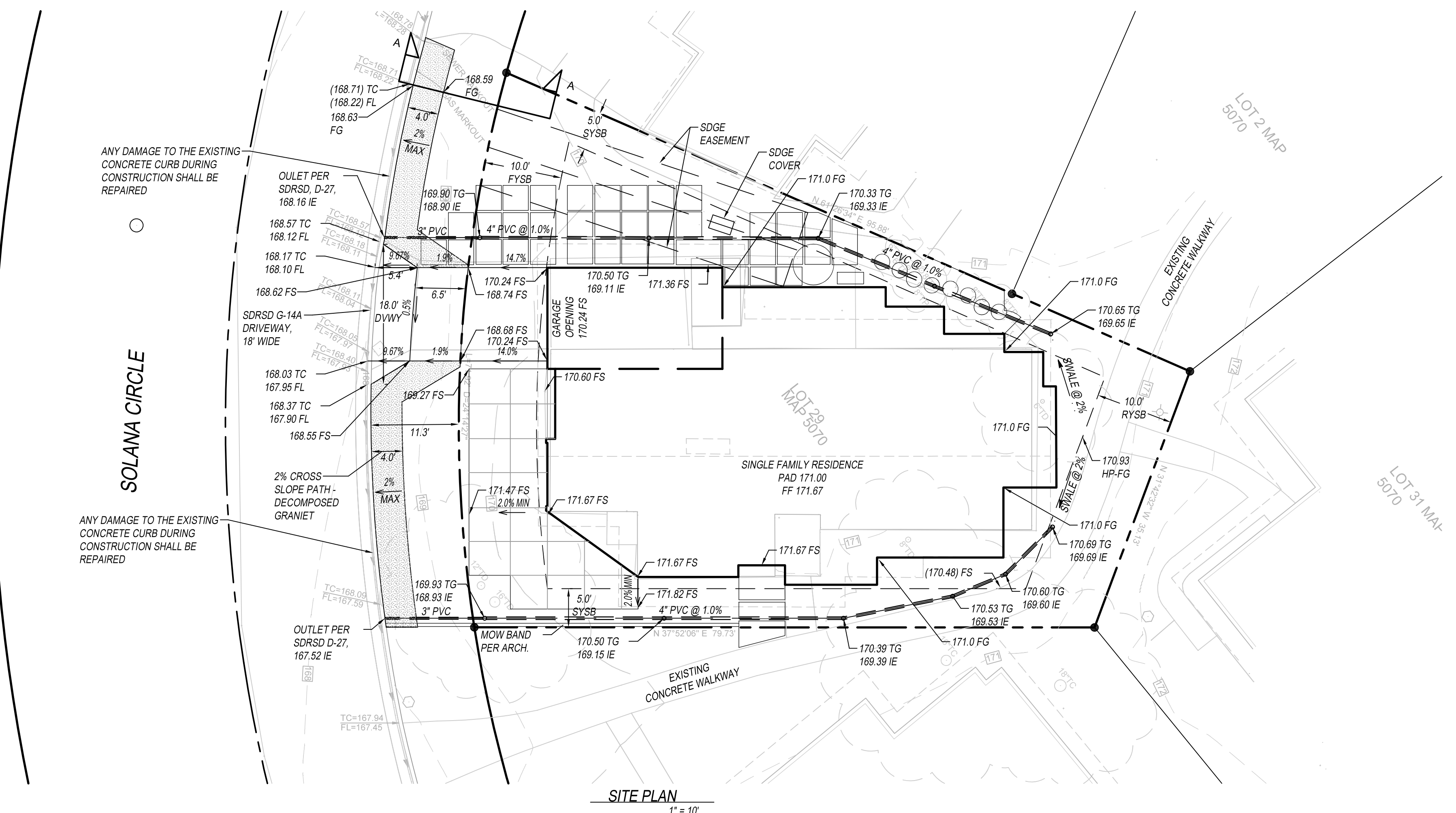
**GENERAL NOTES**

- APPROVAL OF THIS GRADING PLAN DOES NOT CONSTITUTE APPROVAL OF VERTICAL OR HORIZONTAL ALIGNMENT OF ANY PRIVATE ROAD SHOWN HEREIN FOR PUBLIC ROAD PURPOSES.
- FINAL APPROVAL OF THESE GRADING PLANS IS SUBJECT TO FINAL APPROVAL OF THE ASSOCIATED IMPROVEMENT PLANS WHERE APPLICABLE. FINAL CURB GRADE ELEVATIONS MAY REQUIRE CHANGES IN THESE PLANS.
- IMPORT MATERIALS SHALL BE LEGALLY OBTAINED.
- A SEPARATE PERMIT FROM THE CITY ENGINEER WILL BE REQUIRED FOR ANY WORK IN THE PUBLIC RIGHT-OF-WAY.
- ALL SLOPES OVER THREE (3) FEET IN HEIGHT SHALL BE LANDSCAPED AND IRRIGATED.
- THE CONTRACTOR SHALL VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES BEFORE COMMENCING WORK. NOTICE OF PROPOSED WORK SHALL BE GIVEN TO THE FOLLOWING AGENCIES: UNDERGROUND S.A.: 811
- THE SOILS REPORT TITLED "PREPARED BY... DATED..." SHALL BE CONSIDERED AS A PART OF THIS GRADING PLAN. ALL GRADING SHALL BE IN ACCORDANCE WITH THE RECOMMENDATIONS AND SPECIFICATIONS CONTAINED IN SAID REPORT.
- APPROVAL OF THESE PLANS BY THE CITY ENGINEER DOES NOT AUTHORIZE ANY WORK OR GRADING TO BE PERFORMED UNTIL THE PROPERTY OWNER'S PERMISSION HAS BEEN OBTAINED AND A VALID GRADING PERMIT HAS BEEN ISSUED.
- THE CITY ENGINEER'S APPROVAL OF THESE PLANS DOES NOT CONSTITUTE THE BUILDING OFFICIAL'S APPROVAL OF ANY FOUNDATION FOR STRUCTURES TO BE PLACED ON THE AREA COVERED BY THESE PLANS. NO WAIVER OF THE GRADING ORDINANCE REQUIREMENTS CONCERNING MINIMUM COVER OVER EXPANSIVE SOILS IS MADE OR IMPLIED.
- ALL OPERATIONS CONDUCTED ON THE PREMISES, INCLUDING THE WARMING UP, REPAIR, ARRIVAL, DEPARTURE OR RUNNING OF TRUCKS, EARTHMOVING EQUIPMENT, CONSTRUCTION EQUIPMENT AND ANY OTHER ASSOCIATED GRADING EQUIPMENT SHALL BE LIMITED TO THE PERIOD BETWEEN 7:00 A.M. AND 6:00 P.M. EACH DAY, MONDAY THROUGH FRIDAY, AND NO EARTHMOVING OR GRADING OPERATIONS SHALL BE CONDUCTED ON THE PREMISES ON SATURDAYS, SUNDAYS OR HOLIDAYS WITHOUT THE WRITTEN PERMISSION OF THE CITY ENGINEER.
- ALL MAJOR SLOPES SHALL BE ROUNDED INTO EXISTING TERRAIN TO PRODUCE A CONTOURED TRANSITION FROM CUT OR FILL SURFACES TO NATURAL GROUND AND ABUTTING CUT OR FILL SURFACES.
- NOTWITHSTANDING THE MINIMUM STANDARDS SET FORTH IN THE GRADING ORDINANCE, AND NOTWITHSTANDING THE APPROVAL OF THESE GRADING PLANS, THE PERMITTEE IS RESPONSIBLE FOR THE PREVENTION OF DAMAGE TO THE ADJACENT PROPERTY. NO PERSON SHALL EXCAVATE ON LAND SO CLOSE TO THE PROPERTY LINE AS TO ENDANGER ANY ADJOINING PUBLIC STREET, SIDEWALK, ALLEY, FUNCTION OF ANY SEWAGE DISPOSAL SYSTEM, OR ANY OTHER PUBLIC OR PRIVATE PROPERTY WITHOUT SUPPORTING AND PROTECTING SUCH PROPERTY FROM SETTLING, CRACKING, EROSION, SILTING SCOUR OR OTHER DAMAGE WHICH MIGHT RESULT FROM THE GRADING DESCRIBED ON THIS PLAN. THE CITY WILL HOLD THE PERMITTEE RESPONSIBLE FOR CORRECTION ON NON-DEDICATED IMPROVEMENTS WHICH DAMAGE ADJACENT PROPERTY.
- SLOPE RATIOS: CUT 2:1 FILL 2:1  
CUT: 15 CY FILL: 0 CY EXPORT: 15 CY  
(NOTE: A SEPARATE VALID PERMIT MUST EXIST FOR OFFSITE IMPORT OR EXPORT AREAS.)  
\*THE QUANTITIES ESTIMATED ABOVE ARE FOR PERMIT PURPOSES ONLY AND SHOULD NOT BE USED FOR CONSTRUCTION BIDS. CONTRACTORS ARE RESPONSIBLE FOR THEIR OWN EARTHWORK QUANTITIES.
- SPECIAL CONDITIONS: IF ANY ARCHAEOLOGICAL RESOURCES ARE DISCOVERED ON THE SITE OF THIS GRADING DURING GRADING OPERATIONS, SUCH OPERATIONS WILL CEASE IMMEDIATELY, AND THE PERMITTEE WILL NOTIFY THE CITY ENGINEER OF THE DISCOVERY. GRADING OPERATIONS WILL NOT COMMENCE UNTIL THE PERMITTEE HAS RECEIVED WRITTEN AUTHORITY FROM THE CITY ENGINEER TO DO SO.
- ALL GRADING SHOWN ON THIS PLAN SHALL BE COMPLETED AS A SINGULAR UNIT WITH NO PROVISION FOR PARTIAL RELEASES. SHOULD IT BE ANTICIPATED THAT A PORTION OF THIS PROJECT BE COMPLETED SEPARATELY, A SEPARATE PLAN AND PERMIT APPLICATION SHALL BE SUBMITTED FOR APPROVAL.
- THE CONTRACTOR SHALL NOTIFY THE CITY OF SOLANA BEACH 858.720.2470 24 HOURS BEFORE GRADING OPERATIONS BEGIN.
- FINISHED GRADING AND PLANTING SHALL BE ACCOMPLISHED ON ALL SLOPES PRIOR TO OCTOBER 1, OR IMMEDIATELY UPON COMPLETION OF ANY SLOPES GRADED BETWEEN OCTOBER 1 AND APRIL 1, PRIOR TO ANY PLANTING. ALL LANDSCAPING SHALL BE APPROVED BY THE PLANNING DEPARTMENT AT THE DEVELOPMENT REVIEW STAGE, OR BY SEPARATE LANDSCAPE PLAN.
- ALL OFF-SITE HAUL ROUTES SHALL BE SUBMITTED BY THE CONTRACTOR TO THE CITY ENGINEER FOR APPROVAL 72 HOURS PRIOR TO THE BEGINNING OF WORK.
- UPON FINAL COMPLETION OF THE WORK UNDER THE GRADING PERMIT, BUT PRIOR TO FINAL GRADING APPROVAL AND/OR FINAL RELEASE OF SECURITY, PRIOR TO FINAL GRADING APPROVAL AND/OR FINAL RELEASE OF SECURITY, AN AS-GRADED CERTIFICATE SHALL BE PROVIDED STATING "THE GRADING UNDER PERMIT NO. SBGR-379 HAS BEEN PERFORMED IN SUBSTANTIAL CONFORMANCE WITH THE APPROVED GRADING PLAN OR AS SHOWN ON THE ATTACHED AS-GRADED PLAN". THIS STATEMENT SHALL BE FOLLOWED BY THE DATE AND SIGNATURE OF THE CIVIL ENGINEER WHO CERTIFIES SUCH A GRADING OPERATION.
- THE CONTRACTOR SHALL DESIGN, CONSTRUCT, AND MAINTAIN ALL SAFETY DEVICES INCLUDING SHORING, AND SHALL BE RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE, AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS.



# PRELIMINARY GRADING PLAN

778 W SOLANA CIRCLE



- 1 SLOPE TO DRAIN, TYP.
- 2 4" DIA. AREA DRAIN GRATE
- 3 4" DIA. PVC RISER (LENGTH AS REQUIRED)
- 4 TOP OF PAVING OR FINISHED GRADE
- 5 SINGLE OR DOUBLE ENTRY PVC CATCH BASIN AS REQ'D.
- 6 4" DIA. PERFORATED DRAINLINE

**EROSION CONTROL NOTES**

- STORM WATER AND NON-STORM WATER DISCHARGE CONTROL. 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 AND SEDIMENT CONTROL. 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 SEDIMENT ON SITE.
- EROSION CONTROL ON SLOPES SHALL BE MITIGATED BY INSTALLING LANDSCAPING AS PER APPROVED LANDSCAPE PLANS AS REQUIRED BY THE DEVELOPMENT REVIEW CONDITIONS, OR BY TEMPORARY EROSION CONTROL CONFORMING TO THE FOLLOWING:
 

LBS/ACRE	% PURITY/ACRE	SEED SPECIES
20	70% PLUS	ATRIPLEX GLAUCA
50		PLANTAGE INSULARIS
8		ENCELIS FARINOSA
6	SCARIFIED	LOTUS SCOPARIUS
7	50% PLUS	EXCHSCHOLTZIA CALIF.
91		
- THE TOPS OF ALL SLOPES TALLER THAN 5' SHALL BE DIKED OR TRENCHED TO PREVENT WATER FLOWING OVER CRESTS OF SLOPES.
- CATCH BASINS, DESILTING BASINS, AND STORM DRAIN SYSTEMS SHALL BE INSTALLED TO THE SATISFACTION OF THE CITY ENGINEER.
- SAND BAG CHECK DAMS, SILT FENCES, FIBER ROLLS OR OTHER APPROVED BMP'S SHALL BE PLACED IN UNPAVED AREAS WITH GRADIENTS IN EXCESS OF 2%, AS WELL AS AT OR NEAR EVERY POINT WHERE CONCENTRATED FLOW LEAVES THE SITE.
- SAND BAGS SHALL BE PLACED ON THE UPSTREAM SIDE OF ALL DRAINAGE INLETS TO MINIMIZE SILT BUILDUP IN THE INLETS AND PIPES.
- THE CONTRACTOR SHALL REPAIR ANY ERODED SLOPES AS DIRECTED BY THE OFFICE OF THE CITY ENGINEER.
- THE CONTRACTOR SHALL SWEEP ROADWAYS AND ENTRANCES TO AND FROM THE SITE ON A REGULAR BASIS TO KEEP THEM FREE OF SOIL ACCUMULATION AND AT ALL OTHER TIMES DIRECTED BY THE CITY ENGINEER.
- THE CONTRACTOR SHALL WATER SITE ON A CONTINUOUS BASIS TO MINIMIZE AIR BORNE DUST CREATED FROM GRADING AND HAULING OPERATIONS OR EXCESSIVE WIND CONDITIONS, AND AT ALL TIMES DIRECTED BY THE CITY ENGINEER.
- IN THE EVENT SILT DOES ENTER THE EXISTING PUBLIC STORM DRAIN SYSTEM, REMOVAL OF THE SILT FROM THE SYSTEM WILL BE DONE AT THE DEVELOPER'S EXPENSE.

**IMPERVIOUS/ PERVIOUS AREAS**

EXISTING CONDITION	PROPOSED CONDITION
IMPERVIOUS: 2,714 SF	IMPERVIOUS: 2,714 SF
PERVIOUS: 1,532 SF	PERVIOUS: 1,584 SF

**ABBREVIATIONS**

INVERT ELEVATION	IE
FINISHED FLOOR	FF
FINISHED GRADE	FG
FINISHED SURFACE	FS
FLOWLINE	FL
NATURAL GRADE	NG
TOP OF CURB	TC
TOP OF GRATE	TG
FRONT YARD SETBACK	FYSB
REAR YARD SETBACK	RYSB
SIDE YARD SETBACK	SYSB

**WORK TO BE DONE**

THE IMPROVEMENTS CONSIST OF THE FOLLOWING WORK TO BE DONE ACCORDING TO THESE PLANS AND THE LATEST EDITIONS OF:

**PROPERTY INFORMATION**

SITE ADDRESS: 778 W SOLANA CIRCLE, SOLANA BEACH, CA 92075  
 OWNER / PERMITTEE: PHILIP WILKINSON, THE WILKINSON FAMILY TRUST, P.O. BOX 2630, RANCHO SANTA FE, 92067  
 ACCESSOR PARCEL NUMBERS: 298-340-10

**LEGAL DESCRIPTION**

LOT 29 OF PARK DEL MAR, ACCORDING TO MAP THEREOF NO. 5070, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, OCTOBER 31, 1961

**STANDARD SPECIFICATIONS**

- STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION INCLUDING THE REGIONAL SUPPLEMENTAL AMENDMENTS.
- CALIFORNIA DEPARTMENT OF TRANSPORTATION "MANUAL OF TRAFFIC CONTROLS FOR CONSTRUCTION AND MAINTENANCE WORK ZONES"
- STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS

**STANDARD DRAWINGS**

- SAN DIEGO REGIONAL STANDARD DRAWINGS
- STATE OF CALIFORNIA, DEPARTMENT OF TRANSPORTATION STANDARD PLANS

**LEGEND**

ITEM DESCRIPTION	STD DWG	SYMBOL
PROPERTY LINE		---
CENTERLINE OF ROAD		---
SETBACKS		---
HARDSCAPE PER ARCHITECT		[ ]
PROPOSED CONTOUR LINE		---151---
EXISTING CONTOUR LINE		---
PROPOSED 4" PVC STORM DRAIN PIPE		---
STANDARD DWVY	SDRSD G-14A	[ ]

I, \_\_\_\_\_ AS OWNER/DEVELOPER OF THE PROPERTY DESCRIBED HEREIN ACKNOWLEDGE THESE PLANS HAVE BEEN PREPARED AT MY DIRECTION WITH MY FULL CONSENT. I FULLY UNDERSTAND AND ACCEPT THE TERMS AND CONDITIONS CONTAINED HEREIN AND AS ATTACHED BY REFERENCE ON THIS GRADING PLAN.

IT IS AGREED THAT FIELD CONDITIONS MAY REQUIRE CHANGES TO THESE PLANS. IT IS FURTHER AGREED THAT THE OWNER (DEVELOPER) SHALL HAVE A REGISTERED CIVIL ENGINEER MAKE SUCH CHANGES, ALTERATIONS OR ADDITIONS TO THESE PLANS WHICH THE CITY ENGINEER DETERMINES ARE NECESSARY AND DESIRABLE FOR THE PROPER COMPLETION OF THE IMPROVEMENTS.

I FURTHER AGREE TO COMMENCE WORK ON ANY IMPROVEMENTS SHOWN ON THESE PLANS WITHIN EXISTING CITY RIGHT-OF-WAY WITHIN 9 MONTHS OF ISSUANCE OF THE CONSTRUCTION PERMIT AND TO PURSUE SUCH WORK ACTIVELY ON EVERY NORMAL WORKING DAY UNTIL COMPLETED, IRRESPECTIVE AND INDEPENDENT OF ANY OTHER WORK ASSOCIATED WITH THIS PROJECT OR UNDER MY CONTROL.

PHILIP WILKINSON  
 P.O. BOX 2630  
 RANCHO SANTA FE, CA, 92067

**DECLARATION OF RESPONSIBLE CHARGE**

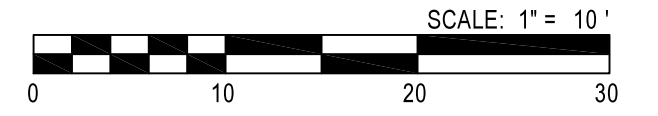
I, BRIAN M. ARDOLINO, HEREBY DECLARE THAT I AM THE ENGINEER OF WORK FOR THIS PROJECT, THAT I HAVE EXERCISED RESPONSIBLE CHARGE OVER THE DESIGN OF THE PROJECT AS DEFINED IN SECTION 6703 OF THE BUSINESS AND PROFESSIONS CODE, AND THE DESIGN IS CONSISTENT WITH CURRENT STANDARDS AND THE CITY OF SOLANA BEACH DRP NO. 20-007.

I UNDERSTAND THAT THE CHECK OF PROJECT DRAWINGS AND SPECIFICATIONS BY THE CITY OF SOLANA BEACH IS CONFINED TO A REVIEW ONLY AND DOES NOT RELIEVE ME OF RESPONSIBILITIES FOR PROJECT DESIGN.

BY: *Brian Ardolino*  
 BRIAN ARDOLINO  
 RCE NO. 71651 EXP. 12/31/2021  
 PASCO LARET SUTNER & ASSOCIATES



PREPARED BY:  
**PASCO LARET SUTNER & ASSOCIATES**  
 San Diego | Solana Beach | Orange County  
 Phone 858.259.8212 | www.plsaengineering.com



COASTAL COMMISSION PERMIT NO. \_\_\_\_\_

ENGINEER OF WORK		CITY APPROVED CHANGES		APP'D	DATE	RECOMMENDED FOR APPROVAL	APPROVED FOR CONSTRUCTION	BENCH MARK	CITY OF SOLANA BEACH	ENGINEERING DEPARTMENT	DRAWING NO.
DRAWN BY: JAS	BY: BRIAN ARDOLINO					BY: _____ DATE: _____	BY: MOHAMMAD SAMMAK, CITY ENGINEER	DESCRIPTION: BASED ON 2.5" BRASS DISK ON CONCRETE DRAINAGE INLET ON THE EAST SHOULDER OF HWY 101, AS POINT SOLB-1	PRELIMINARY GRADING PLAN FOR: 778 W SOLANA CIRCLE		SBGR-
	DATE: 12/31/21					BY: _____ DATE: _____	R.C.E.: 3746 EXP. 6/30/22	ELEV.: 71'45" DATUM: NAVD 88	DRP20-007		SHEET 1 OF 1

# Plant Legend -

## Shrubs & Perennials - from 5 gal. & 1 gal. containers at time of planting

Sym	Botanical Name	Common Name	Mature Ht.	Qty.	Size	WUCOLS
AB	Agave attenuata 'Boutin Blue'	NCN	2.5'	13	5 g.	Low
AA	Aloe arborescens	Torch Aloe	4'	14	5 g.	Low
AR	Anigozanthos flavidus 'Big Red'	Kangaroo Paw	3'	17	5 g.	Moderate
BR	Bougainvillea 'Raspberry Ice'	Bougainvillea	2'	10	5 g.	Low
DT	Dianella tasmanica variegata	Flax Lily	3'	11	5 g.	Moderate
DO	Dodonaea viscosa	Hopseed Bush	7'	21	5 g.	Low
KU	Kniphofia uvaria	Poker Lily	2'	40	1 g.	Low
LW	Lantana montevidensis - white	White Lantana	1'	9	1 g.	Low
MR	Muhlenbergia rigens	Deer Grass	2.5'	4,14	5 g., 1 g.	Low
NG	Nandina 'Gulf Stream'	Heavenly Bamboo	2.5'	4,13	5 g., 1 g.	Low
RF	Rosa floribunda 'Iceberg'	Iceberg Rose	3'	14	5 g.	Moderate
RH	Rosmarinus 'Huntington Carpet'	Rosemary	1'	36	1 g.	Low

## Ground Covers - Hatch Sym., Botanical Name/Common Name; Mature Ht.; Cont. Size; Spacing; WUCOLS; (SF area)

	Campanula portenschlagiana/Dalmatian Bellflower; 6"; Flats; 8"o.c.; Mod.; (145 sf)
	Lantana 'New Gold'/NCN; 2"; 1 gal.; 2'-0"o.c.; Very Low; (55 sf)
	Rosa 'Flower Carpet Red'/Ground Cover Rose; 2.5"; 1 gal.; 2'-0"o.c.; Mod.; (54 sf)
	Senecio mandraliscae/Chalk Sticks; 1"; Flats; 12"o.c.; Low; (62 sf)
	Teucrium chamaedrys/Germander; 1"; 4"; 10"o.c.; Low; (49 sf)

## Non-Living Ground Covers -

'Copper Canyon' Crushed Stone, 3/8" size, in gaps between square concrete pads over weed control fabric

Decomposed Granite with Stabilizer (370 sf)

## SITE CALCULATIONS

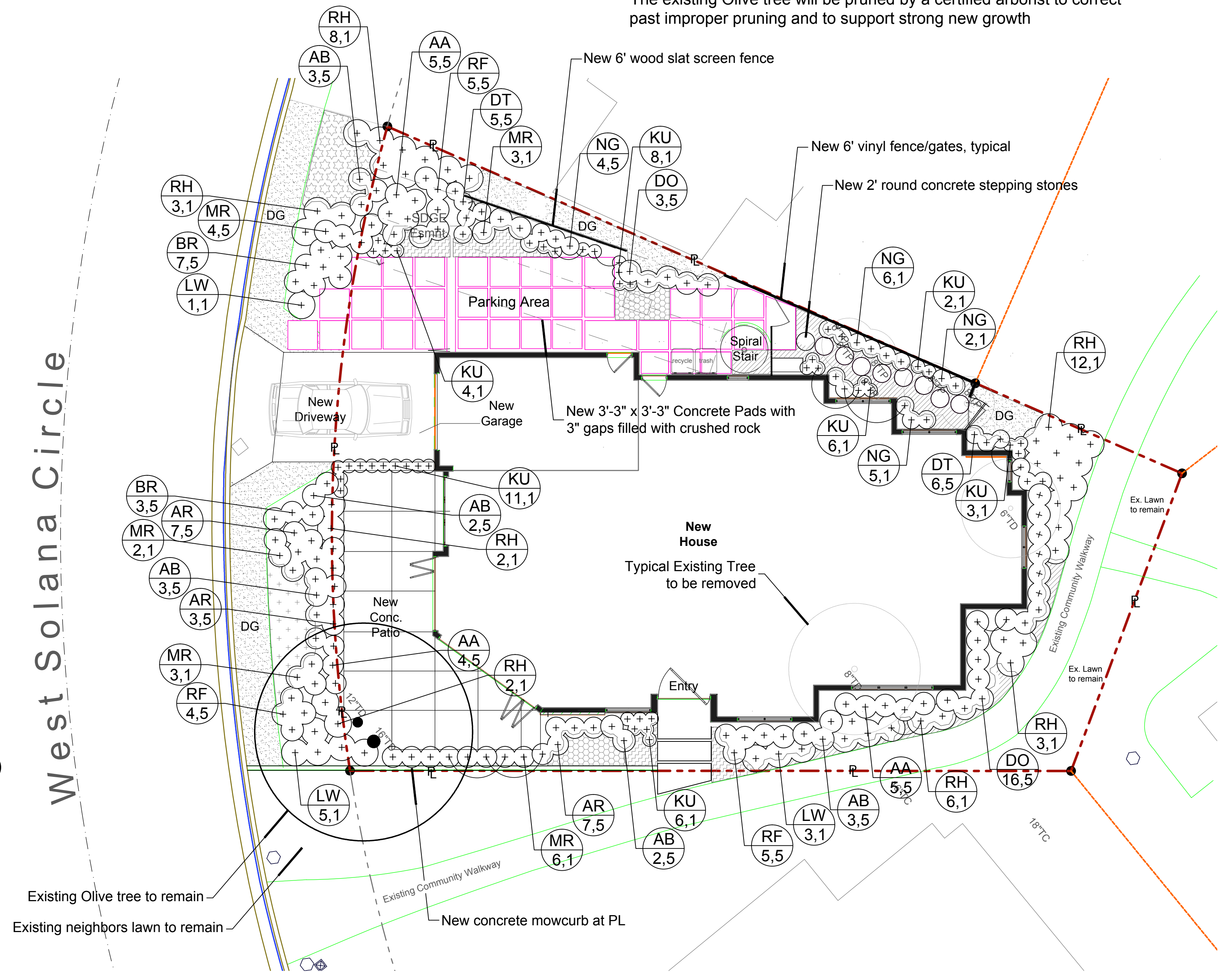
Total Lot Area	4,702. sq. ft.
Total Landscape Area	1,798. sq. ft.
Landscape Area Breakdown:	
1. Total On-site Area less Existing Lawn	872. sq. ft.
2. Existing Lawn Area	186. sq. ft.
3. Total On-site DG Area	103. sq. ft.
<b>On-site Total</b>	<b>1,161. sq. ft.</b>
ROW Landscape Area	370. sq. ft.
ROW DG Area	267. sq. ft.
<b>ROW Total</b>	<b>637. sq. ft.</b>

## PROPOSED IRRIGATION SYSTEM

- The project shall have a new reduced pressure backflow preventer and automatic irrigation valves. All new irrigation will be low-flow drip. Low water-use plants will have lower output emitters than moderate water-use plants.
- The new irrigation controller will be regulated by an atmospheric/rain sensor which will automatically reduce station run-times on cooler days and shut the system off during rain.
- All planting areas will be covered in 3 in. of shredded bark mulch prior to the conclusion of the project.

## EXISTING TREE

The existing Olive tree will be pruned by a certified arborist to correct past improper pruning and to support strong new growth.



## PLANT WATER-USE CLASSIFICATION NOTE:

The water use of the plants shown above were determined by using the "WUCOLS IV - Water Use Classification of Landscape Species" available at: [https://ucanr.edu/sites/wucols/plant\\_search/](https://ucanr.edu/sites/wucols/plant_search/).

## Required Statement:

"I am familiar with the requirements for landscape and irrigation plans contained in the City's Water Efficient Landscape Regulations. I have prepared this plan in compliance with those regulations and the Landscape Design Manual. I certify that the plan implements those regulations to provide efficient use of water."

*[Signature]*

8 October 2020

**Landscape Concept Plan**  
Scale: 1" = 8'

**Wilkinson Residence**  
778 W. Solana Circle, Solana Beach, CA

**LOST WEST**  
LANDSCAPE ARCHITECTURE  
30+ Years

8 Oct.  
2020

Sheet  
1 of 2



# Estimated Water-use Calculations -



## ESTIMATED TOTAL WATER USE (ETWU) WORKSHEET

Applicant Last Name	Project/Plan Check Number	Project Address
---------------------	---------------------------	-----------------

The project's Estimated Total Water Use is calculated using the following formula:  $ETWU = (ETo)(0.62) \left( \frac{PF \times HA}{IE} + SLA \right)$

- ETWU = Estimated total water use per year (gallons per year)
- ETo = Evapotranspiration rate (inches per year)
- PF = Plant Factor from WUCOLS (see Definitions)
- HA = Hydro-zone Area (square feet): Define hydro-zones by water use: very low, low, moderate and high
- SLA = Special Landscape Area (square feet): Edible plants, irrigated with recycled water, & turf used for active play
- 0.62 = Conversion Factor (to gallons per square foot)
- IE = Irrigation Efficiency

CITY OF SOLANA BEACH ESTIMATED TOTAL WATER USE (ETWU) WORKSHEET					
Line	Hydro-zone Number (1 - 4 Below - use as many tables as necessary to complete all hydrozones)				
	Low	Mob.	No H <sub>2</sub> O	4	SLA
Evapotranspiration Rate (ETo) See "A" below	Use 41 (west of I-5) / 47 (east of I-5)				
Conversion Factor - 0.62	0.62				
(Line 1 x Line 2)	25.42 (west of I-5) / 29.14 (east of I-5)				
Plant Factor (PF) See "B" below	0.3	0.6	0		
Hydrozone Area (HA) - in square feet	919	333	360		
(Line 4 x Line 5)	276.	200.	0		
Irrigation Efficiency (IE) See "C" below	.81	.81	1.00		
(Line 6 + Line 7)	341.	247.	0		
TOTAL of all Line 8 boxes + SLA	588				
Line 3 x Line 9 Estimated Total Water Use - ETWU (gallons per year) Total shall not exceed MAWA below	14,947.				
<b>A</b> ETo - Evapotranspiration rate = 41 (west of I-5) 47 (east of I-5)	<b>B</b> PF - Plant Factor - Use WUCOLS values to determine the category for each species used. The highest water use PF must be used when more than one PF is shown in a hydro-zone.  0.1 = VLW - Very Low Water Use Plants 0.3 = LW - Low Water Use Plants 0.6 = MW - Moderate Water Use Plants 1.0 = HW - High Water Use Plants		<b>C</b> IE - Irrigation Efficiency Spray = .55 Rotor = .70 Bubbler = .75 MP rotor = .75 Drip & Micro-spray = .81  A different IE may be used if supported by documentation subject to approval by the City Planner		

### MAXIMUM APPLIED WATER APPLICATION (MAWA) calculation:

Evapotranspiration adjustment factor (ETAF) use .55 residential .45 non-residential

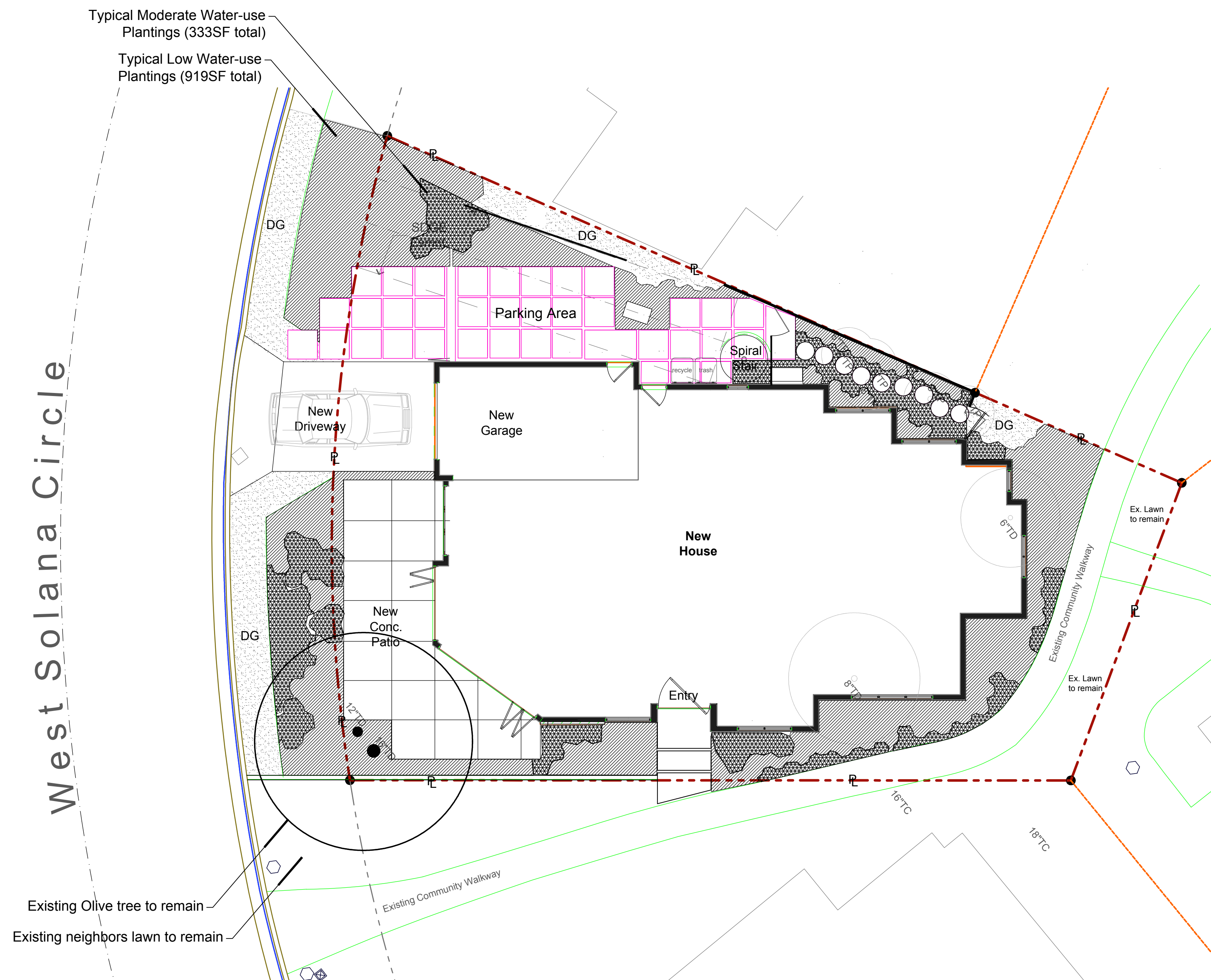
$$\frac{25.42}{25.42 \text{ or } 29.14} \times \frac{.55}{(989)} + (1 - \text{ETAF} \times \frac{0}{\text{Total SLA}}) = \text{MAWA } 25,138.$$

January 2016

Page 3 of 9

### HYDRO-ZONE SQUARE FOOTAGE

Moderate Water-use	333. sq. ft.
Low Water-use	919. sq. ft.
No Water-use (DG areas)	360. sq. ft.
Total Landscape Area	1,612. sq. ft.



## Water Conservation Plan

Scale: 1" = 8'

## Wilkinson Residence

778 W. Solana Circle, Solana Beach, CA



8 Oct.  
2020

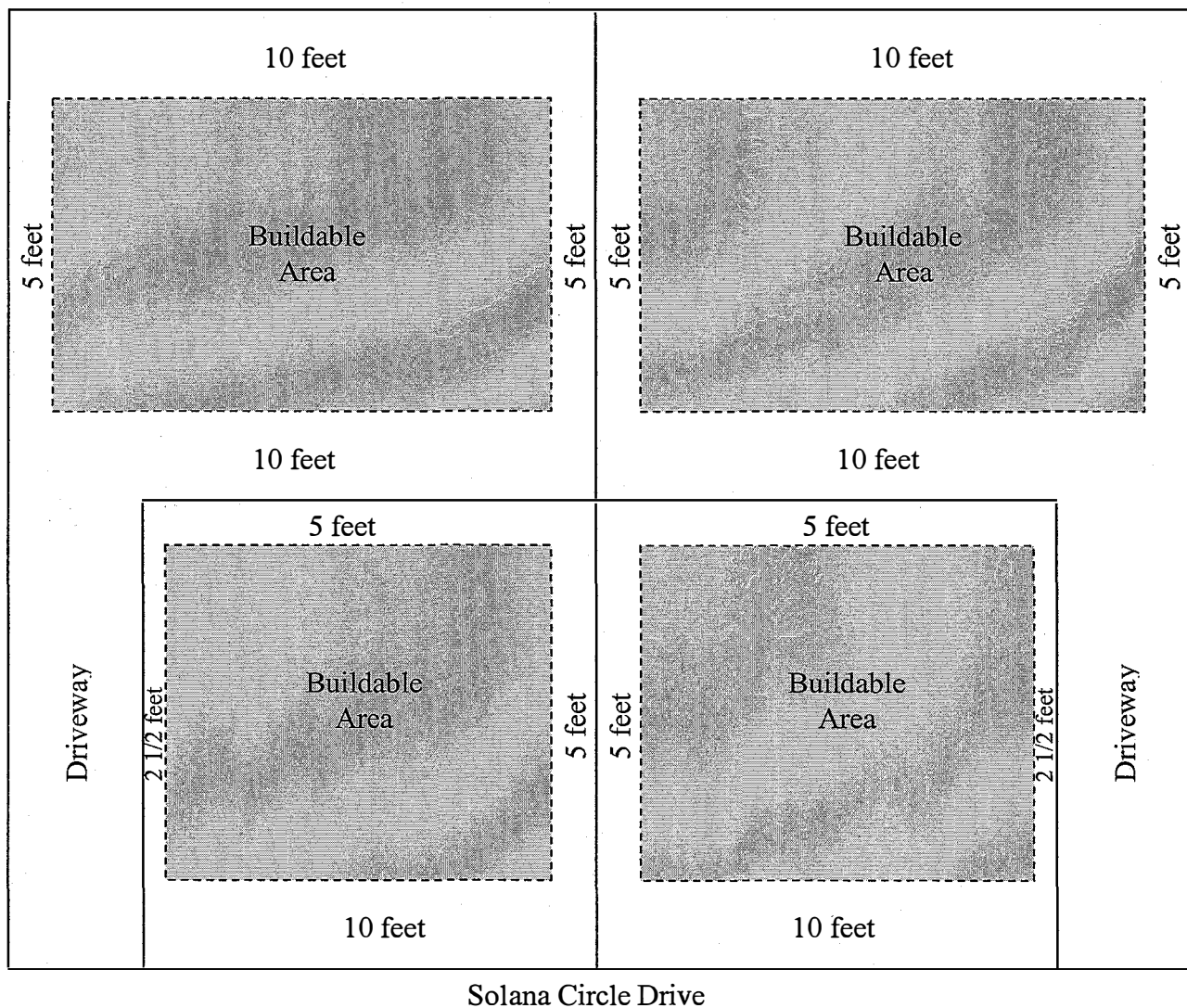
Sheet  
2 of 2

# PARK DEL MAR REGULATIONS

CURRENT AS OF JUNE 2003

Conditions that apply begin on PAGE 4

Typical Setback Configuration:



**ATTACHMENT 3**

Application of Hobart Properties,  
Inc. No. P62-145  
Special Use Permit for  
Neighborhood Housing  
Development and Subdivision  
Containing Lots Smaller than  
Minimum Area Required by Zone  
Classification Applicable to Property  
with Variance to Permit Reduction in  
Certain Yard Requirements, Increase  
in Building Height Requirements and  
Reduction in Size of Parking Spaces  
on Certain Lots – Solana Beach  
Zoning District Property Zoned R-2

### DECISION OF THE COMMISSION

Hobart Properties, Inc., having filed an application pursuant to Section 480 of The Zoning Ordinance for a special use permit for a neighborhood housing development and a subdivision that contains lots smaller than the minimum area required by the same classification applicable to said land, said application including a request for variance to permit the reduction in certain yard requirements on specific lots, a reduction in the size of parking spaces on specific lots and an increase in building height on one lot; and the Commission having given the required notices and held the required hearing on the application for said permit; and the land for which the special use permit is requested being in the County of San Diego, State of California, more particularly described as follows:

All that portion of the \_\_\_ of the \_\_\_ of Sec. 2 T 14 S, R 4 W, S.B.B.M, County of San Diego, State of California, according to U.S. Government Survey approved January 18, 1876, lying Kly of the Kly line of Villa Del Mar Unit #1, Map #3332, Recorded in office of the County Recorder, County of San Diego, November 13, 1955.

Said land being shown on the conditionally approved tentative Map No. 2451 entitled "Conditionally Approved Tentative Map No. 2451" dated April 27, 1962, on file in the office of the Planning Commission of the County of San Diego, State of California, which said above described land is sometimes hereinafter referred to as "Park Del Mar"; and

It appearing that the applicant seeks to develop at this time only a portion of said Park Del Mar and that the applicant proposes to develop at a later date the westerly portion of Lot 1 and all of Lot 60 as shown on said conditionally approved tentative map.

It appearing that the applicant proposed to develop said Park Del Mar By the construction of single family dwellings and apartments designed for senior citizens i.e., persons over the age of 50 years, and the establishment of recreational facilities for said senior citizens; and

It appearing that the application proposed to sell to others both the single family dwellings and individual units within the apartment house shown on Lot 1; and

It appearing that in consideration of the proposed development, the character of the residential facilities to be provided, and the open space containing pedestrian walls to be reserved and improved, the maintenance of gross area requirements for parking areas and the size of the single family dwellings to be erected on the lots within Park Del Mar that the lot size prescribed for the R-2 Zone should be reduced to the minimum sizes shown on said conditionally approved tentative map as more particularly shown on the plot plan designated "Approved Plot Plan of Park Del Mar" dated April 27, 1962, on file in the office of said Planning Commission of the County of San Diego and that the applicant be permitted to reduce certain yard set backs and parking spaces and increase certain building heights as shown on said plot plan; NOW

#### THEREFORE

The Planning Commission of the County of San Diego hereby grants the application of Hobart Properties, Inc., (hereinafter referred to as the Permittee) a special use permit for a neighborhood housing development on the above described land designated Park Del Mar, and for a subdivision of a portion of the above described land designated Park Del Mar (said portion being Lots 3 to 59 and 61 to 85, inclusive, as shown on said conditionally approved tentative Map No. 2451 and said approved plot plan of Park Del Mar) into lots containing less area than the minimum area specified for lots in an R-2 zone and to substitute recreational areas and open space for a portion of the required lot areas, and said Commission also grants variances as requested on said plot plan to permit a reduction in yard setback requirements and the size of parking spaces on certain lots, and an increase in building height on one lot, subject to the following conditions:

1. A final map of said property designated Park Del Mar approved by the Board of Supervisors of the County of San Diego and conforming to said conditionally approved tentative Map No. 2451, or said tentative Map as hereafter modified pursuant to the approval of the Planning Commission, shall be recorded in the office of the County Recorder of said County of San Diego in accordance with the Subdivision Map Act of the State of California and the San Diego County Code. The lots shown on said final map shall be numbered in accordance with the lot numbers shown on said conditionally approved Map No, 2451. Each of Lots 1 to 90, inclusive, shall not be smaller in any dimension or in area than the minimum sizes shown on said conditionally approved tentative Map No. 2451 and said approved plot plan of Park Del Mar.
2. No building permit for the construction of any building on said property designated "Park Del Mar" shall be issued by the County of San Diego and no construction of any such building shall be commenced until said final map of Park Del Mar has been approved by the Board of Supervisors and recorded; provided, however, this restriction shall not apply to the construction of not to exceed three model homes and the construction of the hereinafter described recreational facilities or four model homes, and except on Lot 1 as specified in Paragraph 20, below, provided the construction of said model homes and recreational facilities and any building constructed on said Lot 1 shall conform to the requirements of all State laws and the San Diego County Code. No building permit for the construction of any dwelling on said property (except the model homes referred to above and any building constructed on said Lot 1) shall be issued by the County of San Diego until the Permittee has obtained from the County of San Diego the building permit or permits for the construction of the recreational facilities specified in paragraph 8 below.
3. Primary use of the site shall be limited to one detached, single-family dwelling with one garage or carport. The dwelling unit shall be limited to 2,000 square feet and the garage or carport to 600 square feet; in no case shall the total square footage on site exceed 2,400 square feet. Detached accessory structure may be permitted pursuant to the City of Solana Beach Zoning Ordinance and will be deducted from the total allowed garage square footage calculation.
4. HEIGHT – No on-site structures shall exceed a height of 16 feet as measured from the lower of existing or finished grade to the highest point of the structure, including roofing materials. SETBACK, FRONT – For lots which front on Solana Circle, the front yard setback shall be 10 feet from the edge of the ultimate right-of-way; for panhandle lots, the front yard setback shall be 10 feet from the rear property line for those lots fronting on Solana Circle, extending from one side property line to the other side property line. SETBACK, SIDE –For lots which front on Solana Circle, the side yard setback shall be 5 feet from the side property line except that those side property lines adjacent to a panhandle shall be 2.5 feet from the side property line; for panhandle lots, the side setback shall be 5 feet from side property lines. SETBACK, REAR – For lots which

front on Solana Circle, the rear yard setback shall be 5 feet from the rear property line; for panhandle lots, the rear yard setback shall be 10 feet from the rear property line.

5. No dwelling within Park Del Mar shall be given a final inspection pursuant to any building permit or occupied until the recreational facilities hereafter specified in paragraph 8 and improvements specific hereafter in paragraph 9 have been completed and have received a final inspection and approval by the Building Inspector of the County of San Diego.
6. Lots 2 and 90 shown on said conditionally approved tentative Map No. 2451 and on said final map of Park Del Mar shall be permanently reserved for recreation and open space.
7. At the same time said final map is recorded in the office of the county recorder there also shall be recorded a document signed by all persons, firms and corporations having an interest in the property shown on said final map and by the County of San Diego. Said document shall be in a form satisfactory to the County Counsel of the County of San Diego, and shall establish for the benefit of all the property shown on said final map of Park Del Mar, a restriction that said Lots 2 and 90 shall be used only as open space and for recreational facilities primarily for the use and benefit of the occupants of the property shown on said final map. Said document shall provide that said restriction shall run with the land and shall bind all owners of the property shown on said final map and all persons claiming under them for a period of 20 years from the date of recording the restrictions, after which time the restriction shall be automatically extended for successive periods of 20 years unless an instrument signed by a majority of the then owners of lots in said Park Del Mar and by the County of San Diego has been recorded agreeing to change the restriction in whole or in part.
8. Lot 90 shown on said conditionally approved tentative Map No. 2451 and on said final map shall be improved with the following recreational facilities:
  - a. A swimming pool not less than 1,000 square feet in area constructed in accordance with the requirements and regulations of the Department of Public Health of the State of California applicable to public pools.
  - b. Two concrete shuffleboard courts.
  - c. One croquet court.
  - d. One putting green.
  - e. One recreation building not less than 3,400 square feet in area.

Said recreational facilities shall be constructed within Lot 90 at the locations shown on the plot plan designated "Approved Plot Plan of Park Del Mar" dated April 27, 1962, a copy of which is on file in the office of the Planning Commission of the County of San Diego or at such locations within said Lot 90 as the Planning Commission may approve. Construction of the said recreational facilities shall be commenced no later than the time of commencement of construction of the first dwelling (except model homes) in Park Del Mar and shall be diligently prosecuted to completion. Said facilities shall be completed prior to the final inspection (pursuant to any building permit) and occupancy of any dwelling within Park Del Mar.

9. In addition to the improvements specified above in paragraph 8 said Lot 90 shall be improved with a parking area as shown on said plot plan designated "Approved Plot Plan of Park Del Mar" dated April 27, 1962. Said parking area shall be surfaced with a minimum of two inches of asphalt plant mix over a decomposed granite base or with a material of equal or better quality approved by the County Building Inspector and shall otherwise be improved to conform to the requirements of Section 472 of The Zoning Ordinance of the County of San Diego.
10. Walks shall be construction at locations on the landscape plan designated "Approved Landscape Plan of Park Del Mar" dated April 27, 1962, on file in the office of said Planning Commission or at such other locations as the Commission may approve. All walks shall be not less than four feet in width except short connecting feeder walks to single family dwellings which may be not less than three feet in width. Walks within County road right of way shall be improved in accordance with specifications approved by the County Supervisor and Road Commissioner. Other walks shall be improved with a minimum of two inches of asphalt plant mix or with a material of equal or better quality approved by the County Building Inspector.
11. Lots 1 to 59 and 61 to 85, inclusive, and Lots 88,89 and 90 shall be planted and maintained with lawn, scattered shade trees, flower beds and shrubbery. Planted areas shall have installed therein a permanent-type sprinkler system to irrigate and water the trees. Three planting shall be in accordance with said Approved Landscape Plan of Park Del Mar.
12. The improvements specified in paragraphs 9,10 and 11, above, shall be completed in accordance with the following:
  - a. Lot 90 – Prior to the final inspection (pursuant to any building permit) and occupancy of any dwelling within Park Del Mar.
  - b. Lots 2, 88 and 89 – Prior to the final inspection (pursuant to any building permit) and occupancy of any dwellings in excess of the first 40 dwellings constructed pursuant to this use permit.
  - c. Lots 1, 3 to 59, inclusive, and 62 to 85, inclusive – Prior to the final inspection (pursuant to any building permit) and occupancy of any dwelling on the lot on which said improvements are located.
13. The recreational facilities specified in paragraph 8 and the other improvements specified in paragraphs 9, 10 and 11 shall be maintained in a neat, clean condition and in a state of good repair.
14. a. The Permittee and all persons, firms or corporations owning Lots 2 and 90 at the time of the recording of the final map of Park Del Mar and their heirs, administrators, executors, successors and assigns, shall operate, maintain and repair the recreational facilities and improvements specified above in paragraphs 8, 9, 10 and 11 primarily for the benefit of the residents of Park Del mar and shall continue to operate, maintain and repair such facilities and improvements until such time as the operation and maintenance

of said recreational facilities and improvements is assumed by some public agency, district, corporation or legal entity approved by the County Planning Commission.

b. The maintenance and operation of said recreational facilities and improvements shall be assured by the granting of an undivided interest in said Lots 2 and 90 (including the recreational facilities and improvements) to the purchasers of each of the other individual lots in said Park Del Mar (for the purposes of this subsection "b", only, the term Park Del Mar includes, but is not limited to, any future re-subdivision of said Park Del Mar), the inclusion in the deeds conveying said individual lots of provision, such as covenants running with the land, requiring the owners, their heirs, administrators, successors and assigns, to participate in the cost of such maintenance and operation, and the creation of a legal entity with the right to assess all owners of Lots in said Park Del Mar for, and enforce the participation of each such owner in the costs of the maintenance and operation of said facilities and improvements, or be assured by some other device creating a legal entity capable of maintaining and operating said recreational facilities and improvements and providing for the participation by the owners of all lots within said Park Del Mar in the cost and maintenance and operation and the enforcement of such participation. Prior to the final inspection and occupancy of any dwelling in Park Del Mar, the Permittee shall make provisions to assure the continued maintenance and operation of said recreational facilities and improvements as above specified and obtain the County Planning Commission's approval of such provision.

15. On lots 1 and \_\_\_ as shown on said conditionally approved tentative Map No. 2451 and said approved Plot Plan of Park Del Mar, the area per parking space plus the area used for driveways shall total not less than 300 square feet per parking space.
16. The terms and conditions of this special use permit shall be binding upon the Permittees, all persons, firms and corporations having an interest in the above described property designated Park Del Mar and the heirs, executors, administrators, successors and assigns to each of them, including municipal corporations, public agencies and districts.
17. At the same time the final map of Park Del Mar is recorded there shall also be recorded a document, signed by all persons, firms and corporations having an interest in the property shown on the final map, whereby said persons, firms and corporations accept the terms and conditions of this special use permit and agree with the County of San Diego to comply therewith. Said document shall be in a form satisfactory to Council Counsel of the County of San Diego.
18. The conditions and restrictions specified in this permit, other than the requirement of the recording of a final map in accordance with the conditionally approved tentative map of Park Del Mar dated April 27, 1962, shall not be applicable to Lots 86 and 87 as shown on said conditionally approved tentative map and final map of Park Del Mar.
19. A building permit for the construction of a building on Lot 1 as shown on said conditionally approved tentative Map No. 2451 and said Approved Plot Plan of Park Del Mar dated April 27, 1962, may be issued by the County of San Diego, provided,



however, that no such building shall be given final inspection pursuant to any building permit or occupied until a final map of re-subdivision of said Lot 1 has been approved by the Board of Supervisors and recorded.

20. In the event the Permittee constructs the recreational facilities and improves Lots 2 and 90 as required by this permit and constructs dwellings on some or all of the lots in Park Del mar, notwithstanding the fact that Permittee is no longer the owner of said Lots 2 and 90 or any or all of the lots in said Park Del Mar other than Lots 1 and 60, Permittee may apply to the County Planning Commission for modification of this special use permit insofar as it applies to Lots 1 and 60, Permittee may apply to the County Planning Commission for modification of this special use permit insofar as it applies to Lots 1 and 60. Any such modification shall be applied for, considered and granted or denied in accordance with the provisions of The Zoning Ordinance applicable to special use permits.
21. This permit shall terminate and become void and of no further effect one year from the effective date hereof, unless prior to such termination date, construction of the recreational facilities on Lot 90 and of single family dwellings (other than model homes) on at least 10 lots shall be commenced or unless prior to said termination date an extension of time is granted by the Planning Commission or the Board of Supervisors.
22. By accepting this special use permit Applicant agrees to, and does, waive any and all rights heretofore granted to Applicant by that certain Special Use Permit No. 62-77, granted by the Board of Supervisors of the County of San Diego, it being understood that this permit incorporates the provisions of said Permit No. 62-77 except insofar as specifically modified hereby, and it being intended that all of Applicant's rights in the premises shall be set forth in this Permit rather than in said Permit No. 62-77.



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** Engineering Department  
**SUBJECT:** **Public Hearing: Consideration of Resolution 2020-144 for Fiscal Year 2021/22 Community Development Block Grant Funds – Americans with Disabilities Act (ADA) Pedestrian Ramp Improvements**

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## **BACKGROUND:**

The City of Solana Beach (City) is eligible to apply for Federal Community Development Block Grant (CDBG) funding administered locally through the County of San Diego Department of Housing and Community Development (County). The County has recommended that the City target Americans with Disabilities Act (ADA) improvements to improve the accessibility and safety for persons with disabilities, which is one of the CDBG goals. The City Council (Council) has approved previous annual CDBG applications to construct ADA compliant pedestrian ramps at public street intersections throughout the City.

For the upcoming application, Staff prepared for Council's consideration a new list of street intersections that may be improved with ADA compliant pedestrian ramps (Attachment 1, Exhibit A). This item is before the City Council for the consideration of Resolution 2020-144 (Attachment 1), which would approve the list of ramps and authorize Staff to apply for the Fiscal Year (FY) 2021/22 CDBG funding program.

## **DISCUSSION:**

The County has indicated that the City's anticipated CDBG funding will be approximately \$63,425 for this annual grant application. Staff developed a list of locations consistent with the anticipated funding. The ramps listed in Attachment 1, Exhibit A, are at locations with either no existing pedestrian ramp or with an existing ramp that does not meet current standards. The number of ramps to be constructed will be adjusted to match the available funding. As this Council action has been advertised as a public hearing, any information,

CITY COUNCIL ACTION:

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**AGENDA ITEM B.2.**

comments, and testimony received on this item will be attached to this report and sent to the County along with the City's application.

**CEQA COMPLIANCE STATEMENT:**

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

**FISCAL IMPACT:**

There is no impact to the General Fund due to the use of Federal CDBG Funds. Staff anticipates that the City will receive CDBG funding of approximately \$63,425 for FY 2021/22. Staff will program the funds for the ADA pedestrian ramps in the proposed FY 2021/22 CIP Budget.

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Staff recommendations and approve the CDBG application.
- Provide alternative direction.

**DEPARTMENT RECOMMENDATION:**

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. Adopt Resolution 2020-144:
  - a. Finding that the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to the State CEQA Guidelines.
  - b. Approving the list of public street ADA ramp locations.
  - c. Requesting FY 2021/22 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections listed in Attachment 1, Exhibit A.

- d. Finding that all of FY 2021/22 CDBG funds, presently estimated at a total of \$63,425, are designated to be used for ADA pedestrian ramp improvements.
- e. Authorizing the City Manager to execute the County contract for management and implementation of the CDBG program.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation



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

Attachments:

1. Resolution No. 2020-144

## RESOLUTION 2020-144

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, REQUESTING FISCAL YEAR 2021/22 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR CONSTRUCTION OF ADA PEDESTRIAN RAMPS

**WHEREAS**, the City Council of the City of Solana Beach participates in the Community Development Block Grant (CDBG) Program as administered through the County of San Diego as the City is not eligible to submit as an “Entitlement City”; and

**WHEREAS**, the City desires to utilize the CDBG funds for ADA improvements to improve the accessibility and safety for persons with disabilities; and

**WHEREAS**, on November 18, 2020, the City Council held a duly noticed public hearing to consider the application of requesting CDBG funds; and

**WHEREAS**, section 15301(c) of the State CEQA Guidelines categorically exempts operation, repairs, maintenance or minor alteration to existing streets, sidewalks, gutters and similar facilities.

**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 finds the funding request and project implementation are exempt from the California Environmental Quality Act pursuant to Section 15301(c) the State CEQA Guidelines.
3. That the City Council approves the list of public street ADA Ramp Locations (Exhibit A).
4. That the City Council requests the Fiscal Year (FY) 2021/22 Community Development Block Grant Funds for ADA pedestrian ramp improvements at various public street intersections listed in Exhibit A.
5. That the City Council finds that all of FY 2021/22 CDBG funds, presently estimated at a total of \$63,425, are designated to be used for ADA pedestrian ramp improvements.

ATTACHMENT 1

6. That the City Council authorizes the City Manager to execute the County contract for management and implementation of the CDBG project.

**PASSED AND ADOPTED** this 18th day of November, 2020 at a special meeting of the City Council of the City of Solana Beach, California by the following vote:

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

\_\_\_\_\_  
JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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

**EXHIBIT A**  
**Resolution 2020-144**

**City of Solana Beach**  
**FY 2021-22 CDBG Application**

**Proposed ADA Ramps Locations**

<b>No.</b>	<b>Cross Streets</b>		<b>Corner(s)</b>
1	Lomas Santa Fe Dr	Highland Drive	NE
2	503 South Sierra Ave	mid-block crossing	east side
3	West Cliff St	Acacia Ave	NW/NE
4	West Cliff St	Alley east of Acacia	NW
5	West Cliff St	North Sierra Ave	SW/SE
6	Santa Helena (509)	Santa Victoria	NE
7	Santa Victoria	Santa Alicia	NE/NW
8	Santa Victoria	San Patricio	NE/SE
9	Santa Rufina	San Patricio	NW/SW
10	Santa Petra	San Mario	NW/SW

All locations listed above have no ramps or non-standard ramps to be removed and replaced with current ADA ramp standards.



# STAFF REPORT

## CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** Finance  
**SUBJECT:** **Council Consideration of Resolution No. 2020-141  
Updating the City's User Fees and Charges Schedule**

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### **BACKGROUND:**

A Comprehensive Fee Study and Cost Allocation Plan (Fee Study) was initiated by the City of Solana Beach (City) in January 2017. The Fee Study was presented to the City Council on July 11, 2018 for consideration and discussion. The Fee Study was also presented to the Budget and Finance Commission on August 6, 2018 for their review and input.

On November 28, 2018, the City Council adopted Resolution 2018-148 approving the update of the City's Schedule of Fees for FY 2018/19. As part of Resolution 2018-148, a provision was included that the schedule of fees be adjusted annually effective July 1st of each fiscal year based on the Consumer Price Index (All Urban Consumers – San Diego Region) for the prior calendar year period January through December. Since the Fee Study and fees adopted by Council by Resolution 2018-148 were based on the Fiscal Year (FY) 2017/18 Adopted Budget, the first adjustment of the Schedule of Fees was to be effective July 1, 2019.

The City implemented TRAKiT, a new permitting and land management software, during the summer of 2019. As part of the implementation process, Staff learned that it would be impractical for TRAKiT to accommodate a fee schedule change based on the City's fiscal year that runs July to June.

On November 13, 2019, the City Council approved Resolution 2019-149 approving the update of the City's Schedule of Fees for Calendar Year 2020. As part of Resolution 2019-149, a provision was included that the schedule of fees be adjusted by inflation annually effective January 1<sup>st</sup> of each calendar year via a new fee resolution based on

COUNCIL ACTION:

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**AGENDA ITEM B.3.**



the San Diego-Carlsbad CPI, All Items, for All Urban Consumers (CPI-U) Index, not to exceed 2.5% annually, for the prior twelve month period June through May.

On April 22, 2020, as part of the City Council's actions to provide economic relief to the community due to COVID-19 pandemic, the City Council directed Staff to waive the Calendar Year 2020 Business Certificate Renewal Fees and to charge the Calendar Year 2020 Short Term Vacation Rental Permit Renewal Fee at the FY2018 rate of \$17.

This item is before the City Council to consider adoption of Resolution 2020-141 (Attachment 1) memorializing Council's prior action to waive the Calendar Year 2020 Business Certificate Renewal Fees, and to charge the Calendar Year 2020 Short Term Vacation Rental Permit Renewal Fee at the FY2018 rate and to increase the City's Schedule of Fees and Charges by the CPI-U rate of 0.3% effective January 1, 2021. Staff is also seeking Council direction on the rate at which Business Certificate Renewals and Short-Term Vacation Rental Permit Renewals should be charged for 2021.

### **DISCUSSION:**

User fees and charges are collected to recover some or all costs incurred in providing a specific service from which one or more individuals (i.e. permit applicants) obtain a benefit. It is a best practice for cities to perform a comprehensive update of their cost allocation plans every 5 years and to review their schedule of user fees and charges annually.

One of the Council's overarching Work Plan goals is to enhance the City's long-term fiscal sustainability. Adopting a fee methodology and resulting fee adjustments that realigns user fees to more efficiently utilize general revenues (taxes) for services and programs such as public safety, infrastructure maintenance, and economic development can help the City achieve this Work Plan goal.

The California Constitution (Propositions 13, 218 and 26) and various state laws have placed both substantive and procedural limits on cities' ability to impose fees and charges. Proposition 26 contains a more general articulation of the cost of service principle and includes a requirement that the local government bear the burden of proof that 1) "a levy, charge, or other exaction is not a tax; 2) that the amount is no more than necessary to recover the reasonable costs of the government activity; and 3) that the manner in which those costs are allocated to a payor bear a fair or reasonable relationship to the payor's burden on, or benefits received from, the governmental activity." (Cal. Const. art. XIII C, § (e)). It is important to note that rental charges for rooms or facilities, fines, penalties and late charges are not technically user fees and are not required to be based on actual costs. Instead, these types of charges are more typically governed by market rates, reasonableness and other policy driven factors and can legally exceed the cost.

In January 2017, the City released a RFP solicitation for an independent consultant with

expertise in municipal finance to update the City's cost allocation plan and conduct a review of its user fee schedule. Revenue & Cost Specialists, LLC. (RCS) was selected to provide the requested services.

The Fee Study was carried out in two phases. The first phase was to prepare an updated cost allocation plan, which spreads the cost of general government and support services across the direct services provided to the public. This phase was completed in February 2018. The second phase, a User Fee Analysis, included a thorough analysis of the total cost of providing services, including all applicable direct, indirect and overhead costs associated with specific services. This was a coordinated effort among all City departments and included many meetings between RCS and City Staff to review updates and provide feedback.

The Fee Study was presented to the City Council on July 11, 2018 for consideration and discussion. The Fee Study was also presented to the Budget and Finance Commission on August 6, 2018 for their review and input. On November 28, 2018, the City Council adopted Resolution 2018-148 approving the update of the City's Schedule of Fees for FY 2018/19.

#### Business Certificates and Short-Term Vacation Rental Permits

During Council meetings in April and May 2020, there were discussions regarding relief measures to provide to residents and businesses due to the impact of the COVID-19 pandemic. These discussions resulted in direction from Council to waive Business Certificate renewal fees for calendar year 2020 and to charge the fiscal year 2018 rate of \$17 for Short Term Vacation Rental Permit renewals. This Council direction, however, has not been formalized in a Council Resolution. Staff has included this direction in Resolution 2020-141 to memorialize this prior action.

As previously noted, Staff is also seeking Council direction on the rate at which Business Certificate Renewals should be charged for 2021. This is of particular importance as Business Certificate Renewal Notices are typically sent out annually at the end of November.

#### Annual Fee Adjustment

A provision was included in Resolution 2018-148 that the schedule of fees be adjusted annually effective July 1<sup>st</sup> of each fiscal year based on the Consumer Price Index (All Urban Consumers – San Diego Region) for the prior calendar year period January through December. Since the Fee Study and fees were based on the FY 2017/18 Adopted Budget, the first adjustment of the Schedule of Fees was to be effective July 1, 2019.

In July 2019, the City implemented its new permitting and land management software, TRAKiT, and continued using the calendar year in the numbering system for plans and permits as was done in the City's old system. Using the calendar year as part of the numbering system allows Staff to better track plans and permits. Subsequent to the

software implementation, Staff learned that TRAKiT is only able to accommodate a fee schedule change based on the calendar year with the City's numbering system.

On November 13, 2019, the City Council approved Resolution 2019-149 approving the update of the City's Schedule of Fees for Calendar Year 2020. As part of Resolution 2019-149, a provision was included that the schedule of fees be adjusted by inflation annually effective January 1 of each calendar year via a new fee resolution and shall be based on the San Diego-Carlsbad CPI, All Items, for All Urban Consumers (CPI-U) Index, not to exceed 2.5% annually, for the prior twelve month period June through May.

The San Diego-Carlsbad CPI-U Index for the prior twelve-month period June 2019 to May 2020 was 0.3%, therefore, the adjustment being recommended in the fee update effective January 1, 2021 is 0.3%.

The recommended adjustment of 0.3% has been applied to all fees on the Schedule of Fees effective January 1, 2021 (Schedule of Fees – Attachment 2) except for the following fees:

- View Assessment fee (S-040) for Claimant and Applicant remains at \$600 per application.
- Fees that require deposits with charges at the fully allocated hourly rates for City personnel (S-021A, S-100A, S-110A, S-110B, S-111A, S-111B, S-115A, S-115B, S-116A, S-116B and S-125A).
- Fees set by ordinance or State law – SMIP fee (S-290), State Building Standards Fee (S-291), SB1186 Fee (S-628), False Alarm fees (S-470), and certain City Clerk fees (S-711, S-720, S-721 and S-760).
- Development Impact and Developer Pass-Thru fees (S-305 through S-315 and S-322 through S-355)
- Junior Lifeguard (S-490) and Day Camp (S-522) program fees. These fees were set by Council Resolution 2020-023.
- Golf Cart Permit fee (S-660) remains at \$10 per permit.

The fees listed above that are not adjusted by 0.3% are highlighted in brown on the Schedule of Fees shown in Attachment 2.

The following rounding factor has been applied to the adjusted fees so that the new fees are in whole dollars:

- Any fee in the amount of \$0.01 to \$0.99 round up to \$1.00 (unless it is a part of a multiplier charge. i.e. x.xx per each additional x).
- Any fee more than \$1.00 with cents totaling from \$0.01 to \$0.49 round down to the nearest whole dollar.
- Any fee more than \$1.00 with cents totaling from \$0.50 to \$0.99 round up to the nearest whole dollar.

Using the above rounding factor, a fee that adjusts by 0.3% from \$100.00 to \$100.30 will round down to \$100.00, effectively remaining unchanged, on the updated fee schedule.

All fees that have been adjusted by 0.3% are highlighted in green on the Schedule of Fees in Attachment 2.

### User Fees and Charges Schedule Corrections

The Calendar Year 2020 schedule was missing the following fees. They have been corrected in the Calendar Year 2021 Schedule.

#### Amusement Permit (S-630)

- The per Device fee of \$62 was inadvertently missing from last year's schedule and has been added.

#### Solicitor Permit (S-636)

- The cost for each additional solicitor on a new permit was overstated and should be \$105.
- The cost for each additional solicitor was missing on the renewal permit and should be \$59.

### **CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA.

### **FISCAL IMPACT:**

An adjustment to the City's Fee Schedule based on cost of living changes helps to maintain user fees at a level sufficient to more adequately and efficiently utilize general revenues (taxes) for costs incurred to provide essential City services, programs and projects such as public safety services, infrastructure maintenance, and a variety of public works projects.

### **WORK PLAN:**

Fiscal Sustainability

### **OPTIONS:**

- Adopt the proposed fee resolution recommendations as presented in Resolution 2020-141 (Exhibit A). This would include charging Business Certificate and Short-Term Vacation Rental Permit Renewals at the 2021 rate.
- Adopt the proposed fee resolution above with the continued waiver of Business Certificate Renewal Fees and charge the 2021 rate for Short-Term Vacation Rental Permits.
- Adopt the proposed fee resolution above with the continued waiver of Business Certificate Renewal Fees and continue charging the Short-Term Vacation Rental Permit Renewal Rate at the FY2018 rate of \$17.

- Adopt only the portion of the resolution related to the previously directed waiver of Business Certificate Renewal Fees and continue charging the Short-Term Vacation Rental Permit Renewal Rate at the FY2018 rate of \$17, and keep all other Fees and Charges unchanged for Calendar Year 2021.
- Deny the fee resolution entirely and keep all Fees and Charges unchanged for Calendar Year 2021.
- Provide alternative direction to Staff.

**DEPARTMENT RECOMMENDATION:**

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. Adopt Resolution No. 2020-141 updating the Schedule of Fees and Charges effective January 1, 2021 which:
  - a. Includes a change to part a. of the Rounding of Fees to include “(unless it is as part of a multiplier charge. i.e. x.xx per each additional x)”, and
  - b. Approves prior Council direction to waive Business Certificate Renewal fees for Calendar Year 2020 and charging the fiscal year 2018 rate of \$17 for Calendar year 2020 Short Term Vacation Rental Permit renewals.

Staff further recommends that Council provide specific direction on the rate at which Business Certificate Renewals and Short-Term Vacation Rental Permit Renewals are charged.

**CITY MANAGER’S RECOMMENDATION:**

Approve Department Recommendation.



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

Attachments:

1. Resolution No. 2020-141
2. Schedule of Fees effective January 1, 2021

## RESOLUTION 2020-141

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AMENDING THE SCHEDULE OF FEES EFFECTIVE JANUARY 1, 2021

**WHEREAS**, the City of Solana Beach has conducted an extensive and exhaustive analysis of its services, the costs reasonably borne of providing those services, the beneficiaries of those services, and the revenues produced by those paying fees and charges for special services; and the City desires to provide a review process for landscape plans and site inspections for landscaping of development projects; and

**WHEREAS**, it is the intention of the City Council to conduct such analysis at least every five years to ensure fees are set appropriately to recover costs reasonably borne for providing services; and

**WHEREAS**, the City established a policy for recovering the full costs reasonably borne for providing special services of a voluntary and limited nature, such that general taxes are not diverted from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably such special services; and

**WHEREAS**, pursuant to Government Code Section 66016 the specific fees to be charged for services must be adopted by the City Council by Resolution, after providing notice and holding a public hearing; and

**WHEREAS**, notice of public hearing has been provided per California Government Code Section 6062, oral and written presentations made and received, and the required public hearing held; and

**WHEREAS**, a schedule of fees and charges to be paid by those requesting such special services need be adopted so that the City might carry into effect its policies; and

**WHEREAS**, it is the intention of the City Council to update the schedule of fees annually effective January 1 of each calendar year based on the San Diego-Carlsbad CPI, All Items, for All Urban Consumers (CPI-U) Index, not to exceed 2.5% annually, for the prior twelve month period June through May; and

**WHEREAS**, the City Council recognizes that special circumstances may support the waiving of fees depending upon the nature of the situation; and

**WHEREAS**, pursuant to California Government Code Section 6062, a general explanation of the hereinafter contained schedule of fees and charges has been published as required; and

**ATTACHMENT 1**

**WHEREAS**, on the special Council meeting held on April 22, 2020 Council directed Staff to waive business certificate renewal fees for calendar year 2020 and to charge the fiscal year 2018 rate of \$17 for calendar year 2020 short term vacation rental permit renewals; and

**WHEREAS**, all requirements of California Government Code Section 66016 are hereby found to have been complied with.

**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. **Fee Schedule Adoption.** The attached schedule of fees and charges (Exhibit A) are hereby directed to be computed by and applied by the various City departments, and to be collected by the City Finance Department for the herein listed special services when provided by the City or its designated contractors.
3. **Separate Fee for Each Process.** All fees set forth by this resolution are for each identified process; additional fees shall be required for each additional process or service that is requested or required. Where fees are indicated on a per unit of measurement basis the fee is for each identified unit or portion thereof within the indicated ranges of such units.
4. **Added Fees and Refunds.** Where additional fees need to be charged and collected for completed staff work, or where a refund of excess deposited monies is due, and where such charge or refund is ten dollars (\$10.00) or less, a charge or refund need not be made, pursuant to California Government Code Section 29375.1 and amendments thereto.
5. **Listing of Fees and Phase In.** The attached list of fees shall be charged and collected for the enumerated services as scheduled.
6. **Interpretations.** This Resolution may be interpreted by the several City department heads in consultation with the City Manager and, should there be a conflict between two fees then the lower in dollar amount of the two shall be applied.
7. **Adjustments to Fees.** It is the intention of the City Council to conduct

an extensive analysis of its services periodically and review the fees and charges as determined and set out herein based on the City's Annual Budget and all the City's costs reasonably borne as established at that time and, if warranted, to revise such fees. Inflation adjustments made between such periodic review shall be done annually effective January 1 of each calendar year via a new fee resolution and shall be based on the San Diego-Carlsbad CPI, All Items, for All Urban Consumers (CPI-U) Index, not to exceed 2.5% annually, for the prior twelve month period June through May.

8. **Adjustment to Fees effective January 1, 2020:** Waive business certificate renewal fees for calendar year 2020 and charge the fiscal year 2018 rate of \$17 for calendar year 2020 short-term vacation rental permit renewals.
9. **Adjustment to Fees effective January 1, 2021:** The San Diego-Carlsbad CPI, All Items, for All Urban Consumers (CPI-U) Index, for the twelve month period June 2019 through May 2020 is 0.3%, therefore, the adjustment in fees effective January 1, 2021 will be an adjustment of 0.3%.
10. **Rounding of Fees:** The following rounding factor has been applied to the adjustment of fees so that the adjusted fees are in whole dollars:
  - a. Any fee in the amount of \$0.01 to \$0.99 round up to \$1.00. (unless it is as part of a multiplier charge. i.e. x.xx per each additional x).
  - b. Any fee more than \$1.00 with cents totaling from \$0.01 to \$0.49 round down to the nearest whole dollar.
  - c. Any fee more than \$1.00 with cents totaling from \$0.50 to \$0.99 round up to the nearest whole dollar.
11. **Waiver of Fees:** The City Manager shall have the authority to waive fees for non-profit organizations located within the City and for City sponsored events. All other fee waiver requests shall be reviewed by the City Council.
12. **Constitutionality.** If any portion of this Resolution is declared invalid or unconstitutional then it is the intention of the City Council to have passed the entire Resolution and all its component parts, and all other sections of this Resolution shall remain in full force and effect.



**PASSED AND ADOPTED** this 18<sup>th</sup> day of November 2020, at a special meeting of the City Council of the City of Solana Beach, California by the following vote:

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

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JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

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JOHANNA N. CANLAS, City Attorney

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ANGELA IVEY, City Clerk

**CITY OF SOLANA BEACH  
Schedule of Fees  
Effective January 1, 2021  
Per Resolution 2020-141**

**EXHIBIT A**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
	<b>COMMUNITY DEVELOPMENT SERVICES</b>				
	S-001	Community Dev	Conditional Use Permit - Processing	<u>All CUPs: \$8,904</u>	Per application. Bluff retention device CUPs will include deposit based on estimated costs for third-party geotechnical review, consultant review, and legal services. Optional: expediting fee and CEQA document preparation fee, upon request.
	S-001A			<u>Bluff Retention Device CUPs &amp; Wireless Communication Facility CUPs</u> Require addtl deposit for various third-party reviews at Cost + 15% (see Service Code S-350)	
	S-002	Community Dev	Conditional Use Permit - Revise/Modify	\$3,130	Per application
	S-003	Community Dev	Conditional Use Permit - Time Extension	\$2,334	Per application
	S-004	Community Dev	Community Development Directors Use Permit	\$2,900	Per application (Other)
	S-004A			\$2,673	Per application (Wireless)
	S-004B			Wireless Communications Facility-requires additional deposit for third party reviews plus 15% (see Service Code S-350)	
	S-005	Community Dev	Community Development Dir. Use Permit - Revision	\$1,475	Per application
	S-006	Community Dev	Community Development Dir. Use Permit - Time Extension	\$1,249	Per application
	S-008	Community Dev	Minor Exception - Review Process	\$1,193	Per application
	S-011	Community Dev	Temporary Use Permit - Processing	\$1,527	Per application
	S-012	Community Dev	Temporary Use Permit - Time Extension	\$745	Per application
	S-013	Community Dev	Zoning Letter	\$159	Per letter
	S-014	Community Dev	Variance - Processing	\$6,739	Per application
	S-016	Community Dev	Pre-application review	\$2,843	Per application. 50% of the fee to be credited against future fees if the project actually goes forward.
	S-017	Community Dev	Appeal to the City Council	Resident \$1,681 Others \$4,205	Per appeal
	S-018	Community Dev	General Plan Amendment	\$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined by Service Code S-350. City staff will track time related to the project so that 100% of costs are recovered.	
	S-019	Community Dev	Rezoning Review/Specific Plan	\$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined by Service Code S-350. City staff will track time related to the project so that 100% of costs are recovered.	
	S-020	Community Dev	Zoning Text Amendment	\$10,000 deposit or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined by Service Code S-350. City staff will track time related to the project so that 100% of costs are recovered.	
	S-021	Community Dev	Development Review Permit - Processing	Level I Resident \$5,244 Non-Resident \$10,501 Level II - \$17,596 per application	Per application
	S-021A			or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined by Service Code S-350	
	S-022	Community Dev	Development Review Permit - Revise/Modify	\$3,259	Per application
	S-023	Community Dev	Development Review Permit - Time Extension	\$2,128	Per application
	S-024	Community Dev	Major Subdivision - Tentative Map	\$14,393	Per application
	S-025	Community Dev	Major Subdivision - Final Map	\$4,991	Per application
	S-026	Community Dev	Major Subdivision - Amend. Of Condition	\$4,205	Per application
	S-027	Community Dev	Major Subdivision - Time Extension	\$3,887	Per application
	S-028	Community Dev	Minor Subdivision - Tentative Map	\$11,026	Per application
	S-029	Community Dev	Minor Subdivision - Parcel Map	\$4,045	Per application

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
	S-030	Community Dev	Minor Subdivision - Amend. Of Condition	\$3,311	Per application
	S-031	Community Dev	Minor Subdivision - Time Extension	\$3,203	Per application
	S-032	Community Dev	Environmental Documentation	Deposit for third-party review at Cost + 15% Admin Fee (see Service Code S-350)	Per application
	S-035	Community Dev	Environmental Impact Report	Deposit for third-party review at Cost + 15% Admin Fee (see Service Code S-350)	Per application
	S-036	Community Dev	Structure Develop. Permit - Processing	\$3,691	Per application.
	S-036A	Community Dev	Structure Develop. Permit - Processing (with S-021)	\$1,107	If in conjunction with a Development Review Permit (S-021), the S-036 fee will instead be \$1,077 per application (30% of the total S-036 fee)
	S-036D	Community Dev	Structure Develop. Permit - Processing (with multiple entitlements)	\$3,137	If in conjunction with multiple entitlements, a discount of 15% is applied to the lower cost entitlements, and the S-036 will instead be \$3,052 per application
	S-037	Community Dev	Structure Develop. Permit Waiver/Time Extension	\$566	Per application. This fee will not be charged in conjunction with a Development Review Permit-Time Extension (S-023)
	S-037A	Community Dev	Structure Develop. Permit Waiver/Time Extension (with S-023)	\$0	
	S-040	Community Dev	View Assessment - Claimant	\$600 view assessment - claimant	Per application Full refund of application fee will be made if parties settle 2 weeks before a scheduled VAC hearing and a refund of \$300 if parties settle within the 2 week period before a VAC hearing
		Community Dev	View Assessment - Applicant	\$600 view assessment - applicant	
	S-041	Community Dev	View Assessment Committee (VAC) - Appeal to City Council	\$1,804	Per application
	S-042	Community Dev	View Assessment - Community Development Director Appeal to City Council	This fee would be charged as an Appeal to the City Council (S-017) and not as a separate fee.	Per application
	S-050	Community Dev	Standard Sign Permit - Processing	\$339	Per application
	S-051	Community Dev	Comprehensive Sign Plan - Review Process	\$967	Per application
	S-051A			plus 100% fine of original sign permit if the sign was built without a permit.	
	S-052	Community Dev	Comprehensive Sign Plan - Amendment	\$509	Per application
	S-053	Community Dev	Temporary Sign/Banner	\$113	Per application
	S-060	Community Dev	Landscape Plan Review/Inspection	Deposit for third-party review at Cost + 15% Admin Fee (see Service Code S-350)	Per application
	S-065	Community Dev	Street Address Change	\$252 for first five addresses plus \$56 for each additional five addresses	Per application
	S-067	Community Dev	Planning Public Noticing	\$550 per notice plus actual mailing and newspaper costs If a project has more than one notice, this fee would be charged for each notice.	Per notice
		Community Dev	Multi-permit discount of 15%	A multi-permit discount of 15% is available for each additional Planning Department permit service filed on the same project at the same time as the first permit service. For example, if a Conditional Use Permit (CUP) (\$8,904) is filed simultaneously with a Development Review Permit (DRP) (\$5,244), the required fee would be \$8,904 plus \$5,244 minus 15% of \$5,244, or \$4,457 for the DRP (the discount is applied to the lower cost fee).	

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
<b>ENGINEERING SERVICES</b>					
	S-100	Engineering	Lot Line Adj./Cert. Of Compliance. - Review	\$1,887 per application	Per application
	S-100A			or a deposit determined by staff with charges at the fully allocated hourly rates for all personnel involved plus any outside costs as determined by S-350.	
	S-110	Engineering	Grading Plan Check	Construction Valuation *: (\$1,028 minimum fee) <u>\$0-\$10,000</u> : \$1,028 <u>\$10,001-\$20,000</u> : \$1,028 + \$10.28 for each additional \$100 or fraction thereof of the construction value over \$10,000 <u>\$20,001-\$80,000</u> : \$2,056 + \$3.09 for each additional \$100 or fraction thereof of the construction value over \$20,000 <u>\$80,001-\$200,000</u> : \$3,910 + \$10.28 for each additional \$1000 or fraction thereof of the construction value over \$80,000 <u>\$200,001+</u> : \$5,143 + \$10.28 for each \$1000 or fraction thereof of the construction value over \$200,000 * Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining valuation	Per application
	S-110A			or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
	S-110B			<u>Bluff Projects</u> - Deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
	S-111			Construction Valuation *: (\$1,028 minimum fee) <u>\$0-\$20,000</u> : \$1,028 <u>\$20,001-\$80,000</u> : \$1,028 + \$15.43 for each additional \$1,000 or fraction thereof of the construction value over \$20,000 <u>\$80,001-\$200,000</u> : \$1,954 + \$10.28 for each additional \$1,000 or fraction thereof of the construction value over \$80,000 <u>\$200,001+</u> : \$3,109 + \$10.03 for each \$1000 or fraction thereof of the construction value over \$200,000 * Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining valuation	
	S-111A	or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.			
	S-111B	<u>Bluff Projects</u> - Deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.			
	S-112	Engineering	Grading Deposits	Based on an Engineer's Estimate of the work performed under the permit. Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining security amount	Per permit/inspection

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
	S-115	Engineering	Public Improvement Plan Check	<p>Construction Valuation *: (\$1,028 minimum fee)</p> <p><b>\$0-\$10,000: \$1,028</b></p> <p><b>\$10,001-\$20,000: \$1,028 + \$10.28</b> for each additional \$100 or fraction thereof of the construction value over \$10,000</p> <p><b>\$20,001-\$80,000: \$2,056 + \$3.09</b> for each additional \$100 or fraction thereof of the construction value over \$20,000</p> <p><b>\$80,001-\$200,000: \$3,910 + \$10.28</b> for each additional \$1000 or fraction thereof of the construction value over \$80,000</p> <p><b>\$200,001+: \$5,143 + \$10.28</b> for each \$1000 or fraction thereof of the construction value over \$200,000</p>	Per application
	S-115A			* Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining valuation	
	S-115B			or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
				<u>Bluff Projects</u> - Deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
	S-116	Engineering	Public Improvement Permit/ Inspection	<p>Construction Valuation *: (\$1,028 minimum fee)</p> <p><b>\$0-\$20,000: \$1,028</b></p> <p><b>\$20,001-\$80,000: \$1,028 + \$15.43</b> for each additional \$1,000 or fraction thereof of the construction value over \$20,000</p> <p><b>\$80,001-\$200,000: \$1,954 + \$10.28</b> for each additional \$1,000 or fraction thereof of the construction value over \$80,000</p> <p><b>\$200,001+: \$3,109 + \$10.03</b> for each \$1000 or fraction thereof of the construction value over \$200,000</p>	Per permit/inspection
	S-116A			* Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining valuation	
	S-116B			or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
				<u>Bluff Projects</u> - Deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	
	S-117	Engineering	Public Improvement Deposits	Based on an Engineer's Estimate of the work performed under the permit. Per Resolution 2001-85, the City of San Diego Cost Estimate Unit Price List is used for determining security amount	Per permit/inspection
	S-120	Engineering	Geotechnical Plan Review/Inspection	Deposit for third-party review at Cost	Per application
				+ 15% Admin Fee	
	S-115	Engineering	Encroachment Permit	<p><b>Street Cut - \$776</b></p> <p><b>Standard - \$545</b></p>	Per permit
	S-116	Engineering	Encroachment Permit Deposit	SBMC 11.20.230 - twice the estimated cost of removing the encroachment, but in no case less than \$50.00	Per permit
	S-120	Engineering	Miscellaneous Engineering Permit/Inspection	\$227	Per permit/inspection
	S-125			\$1,763 per application	
	S-125A	Engineering	Easement Abandon/Street Vacation	or a deposit determined by staff with charges at the fully allocated hourly rate for all personnel involved plus any outside costs as determined by S-350.	Per application
	S-127	Engineering	Easement/R.O.W Dedication	\$488	Per application
	S-130	Engineering	Subdivision Monuments	security deposit is based on estimate provided by surveyor to set the monuments.	Per application

**CITY OF SOLANA BEACH  
Schedule of Fees  
Effective January 1, 2021  
Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
	S-135	Engineering	Sewer Connection Fees	Future Capacity = 50%	Per total of \$4,500 per 1.0 EDU
S-135A	Ocean Outfall = 27%				
S-135B	Existing Facility = 23%				
S-140	Engineering	Marine Safety Permit	Deposit collected for: Ramp Fee - \$6 per round trip Trip Fee - \$3 per ton plus \$29 per day for days 1-30 and \$55 per day for 31 and subsequent days plus actual staffing costs (4 hour min)	Per Permit	

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
<b>BUILDING SERVICES</b>					
S-210 TO S-265	Community Dev	Building Plan - Plan Check & Permit/Inspection	See attached valuation tables Attachments A & B	Per application & permit/inspection	
S-270	Community Dev	CalGreen Building Plan Check	<u>0-50,000 SF</u> - 3% of Building Permit Plan Check <u>Above 50,001</u> - 1% of Building Permit Plan Check	Per plan check	
S-272	Community Dev	CalGreen Building Permit/Inspection	<u>0-50,000 SF</u> - 3% of Building Inspection Fee <u>Above 50,001</u> - 1% of Building Inspection Fee	Per permit/inspection	
S-275	Community Dev	Commercial Photovoltaic Plan Check	Based on the Project Valuation \$0-\$100,000: \$357 \$100,000-\$500,000: \$444 \$500,000- 1,000,000: \$488 Above \$1,000,000: \$576	Per plan check	
S-277	Community Dev	Commercial Photovoltaic Permit/Inspection	Based on the Project Valuation \$0-\$100,000: \$357 \$100,000-\$500,000: \$444 \$500,000- 1,000,000: \$488 Above \$1,000,000: \$576	Per permit/inspection	
S-278	001-4715	Single Family Single Family Residential Solar Plan Check	\$35 (25% of Single Trade Electrical Permit Fee- Attachment B)	Per plan check	
S-279	001-4320	Single Family Single Family Residential Solar Permit/Inspection	\$190 (Single Trade Electrical Permit Fee- Attachment B)	Per permit/inspection	
S-280	Community Dev	Building Permit Extension Review	\$237	Per application	
S-285	Community Dev	Violation of Building Permit	equal to total of building permit fee that was required (in addition to building permit fee)	Per violation	
S-290	Community Dev	SMIP Fee	per Section 2705 of the Public Resources Code		
S-291	Community Dev	State Building Standards Fee	per HSC Section 18931.6		

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
<b>DEVELOPMENT IMPACT FEES &amp; DEVELOPER PASS-THRU</b>					
	S-305	Community Dev	Regional Transportation Congestion Program RTCIP Fee	Single family \$3,623 per dwelling unit Multi-family \$2,899 per dwelling unit	Per application; fee set by SANDAG and adjusted annually, no less than 2% per year.
	S-310	Community Dev	Public Facilities Fee	1% of project valuation	
	S-315	Community Dev	Master Art Policy Fee	0.5% of project valuation	Per application; commercial projects with valuation of \$500,000 or more with 5 or more dwelling units; deposit
	S-320	Community Dev	Affordable Housing Impact Fee	\$25.36 per SF	
	S-322	Engineering	Transporation Impact Fee (TIF)	See Attachment C	
	S-330	Fire	Fire Mitigation Impact Fee (FMIF)	See Attachment C	
	S-332	Community Dev	Park Development Impact Fee (PDIF)	See Attachment C	
	S-334	Community Dev	Public Use Facilities Impact Fee (PUFIF)	See Attachment C	
	S-350A	Various	Third Party Review	Landscape Review	+ 15% of Third Party Review Cost (S-355)
	S-350B			Wireless Review	
	S-350C			Geotechnical Review	
	S-350D			Biological Review	
	S-350E			Special Counsel Review	
	S-350F			Stormwater Review	
	S-350G.			Traffic Review	
	S-350H			Environmental Review	
	S-350I			Shoreline Development Review	
	S-350J			Noise Review	
	S-350K			Cultural Resources Review	
	S-350L			Bluff Retention	
	S-355			Various	



**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
<b>PUBLIC SAFETY</b>					
	S-410	Fire	Fire Building Plan Check & Permit/Inspection	<u>Commercial:</u> Plan Check - \$206 per plan	Per plan check. & permit/inspection
	S-411			Permit/Inspection - \$138 per inspection	
	S-412			<u>Residential:</u> Plan Check - \$138 per plan	
	S-413			Permit/Inspection - \$103 per inspection	
	S-414			Reinspection (3rd Inspection) - \$103 per reinspection	
	S-420	Fire	Fire Sprinkler Plan Check & Permit (Commercial)	<u>Plan Check:</u> Tenant Improvement - \$67 New - Actual Costs	Per plan check
	S-421			<u>Permit/Inspection:</u> Tenant Improvement - \$138 New - \$540	Per permit/inspection
	S-422	Fire	Fire Sprinkler Plan Check & Inspection (Residential)	<u>Plan Check:</u> 0-2,500 Sq. Ft: \$103 2,501-5,000 Sq. Ft: \$133 5,001-7,000 Sq. Ft: \$138 7,001-10,000 Sq. Ft: \$206 10,000+ Sq. Ft: \$206	Per plan check
	S-423			<u>Permit/Inspection:</u> 0-2,500 Sq. Ft: \$103 2,501-5,000 Sq. Ft: \$138 5,001-7,000 Sq. Ft: \$170 7,001-10,000 Sq. Ft: \$206 10,000+ Sq. Ft: \$237	Per permit/inspection
	S - 424	Fire	Fire Alarm System - Plan Check & Inspection	Plan Check - \$138 or actual costs with charges at the fully allocated hourly rates for all personnel involved plus any outside costs.	Per plan check
	S - 425			Permit/Inspection - \$442	Per permit/inspection
	S - 426	Fire	Fire Specialty Protection System Plan Check & Permit/Inspection	Plan Check - \$133	Per plan check
	S - 427			Permit/Inspection - \$72	Per permit/inspection
	S-430	Fire	Fire Solar System Plan Check & Permit/Inspection	Single Family Residential - included as part of Building fees	N/A
	S - 431			Multi-Family, Commercial, or Industrial: Plan Check - \$136	Per plan check
	S - 432			Permit/Inspection - \$136	Per permit/inspection
	S-440	Fire	Fire Alt. Materials & Methods Rev	\$273 per application plus actual costs at the fully allocated hourly rates for all time after two hours	Per application
	S-442	Fire	Underground Tank Installation - Removal P.C. Inspection	\$411	Per permit
	S-444	Fire	New Development Flow Test	This service is now provided by the Water District.	
	S-446	Fire	Miscellaneous Fire Inspection	\$138/hour	Per inspection
	S-447	Fire	After Hour Inspection	Actual cost using fully allocated hourly rates (\$273 minimum)	Per inspection
	S-448	Fire	Standby Charge	Actual cost using fully allocated hourly rates (\$617 minimum)	Per request
	S-460	Fire	Business Fire Safety Inspection	<u>B, R2, R2.1 Occupancies:</u> 0-1,000 SF - \$103 1,001-3,500 SF - \$206 3,501-10,000 SF - \$273 10,001 SF - \$817 <u>All Other Occupancies:</u> 0-1,000 SF - \$205 1,001-3,500 SF - \$411 3,501-10,000 SF - \$545 10,001 SF - \$1,090	Per in-City business certificate application (S-620) & renewal (S-626)

**CITY OF SOLANA BEACH  
Schedule of Fees  
Effective January 1, 2021  
Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
		S-470	Community Dev (Codes)	False Alarm	1. \$50 for the first excessive false alarm; 2. \$100 for the second excessive false alarm; 3. \$150 for the third and each successive excessive false alarm
	S-490	Marine Safety	Marine Safety Junior Lifeguard	Track 1- age 9-16 (wk 1-4 & 4-8) Resident - \$375; Non-Resident - \$425; Track 2- age 9-16 Resident & Non-Resident (wk 9-10) \$300; Track 3- age 7-8 Resident/Non-Resident (Wk 1-2, 3-4, 5-6, 7-8, 9-10) - \$300; Track 4- age 14-16 (wk 1-5 & 6-10) - \$575; Track 5- age 9-16 (bi-weekly) - \$300	Per resolution 2020-023

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
	<b>COMMUNITY SERVICES</b>				
	S-510	Community Serv	Special Event Permit	\$50 Resident/Non-profit \$257 Non-resident \$786 for street closure	Per permit; Block Parties are exempt from street closure rate
	S-515	Community Serv	Sound Permit	\$10	per application
	S-519	Finance	Liability Insurance	set by City's Insurance Broker	Per event or rental
	S-520	Community Serv	Contract Enrichment Classes	100% cost recovery	Per class; Class instructor receives 70% of the class fee and the City receives 30% of the class fee.
	S-522	Community Serv	Day Camp Program	Day Camp: age 5-11 Resident - \$144, Non-resident - \$175; Day Camp After Care: age 5-11 Resident - \$43, Non-resident - \$68; Leader In Training: age 13-17 - \$36	Per resolution 2020-023
	S-524	Community Serv	Sports Field Admin	Residents \$0 Non-residents \$21	Per hour
	S-526	Community Serv	Facility Rental (Community Center)	\$62 Resident \$67 Non-resident	Per hour
	S-540	Community Serv	Public Art Consignment Fee	\$103 + 25% of sale price if sold	Per application for requests from artists to display their art in the public right of way per the MAP guidelines.

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	Service Code #	Dept	Description of Service	Fee for Service Effective 01/01/2021	Fee Instructions/Notes
<b>PERMIT REGISTRATION SERVICES</b>					
	S-610	Finance	Short Term Vacation Rental Permit	<u>New</u> - \$103 per permit <u>Late Fee</u> - \$103 plus the cost of the Permit <u>Renewal</u> - \$56 per permit <u>Late Fees</u> - 31-90 days late - \$103 plus renewal fee 91+ days late - Per SBMC 4.02.230	Per permit
	S-620	Finance	New/Changed Business Certificate	<u>Home Base/Located outside the City</u> - \$103 per application <u>Business located within the City</u> - \$232 per application <u>Late Fees:</u> 90 days late - \$103 plus the cost of the Certificate 91+ days late - Per SBMC 4.02.230	Per application + S-460 for Business located within the City
	S-626	Finance	Business Certificate Renewal	\$48 per renewal Plus 100% late fee if received 31 to 90 days late Thereafter Administrative Citation Process	Per renewal + S-460 for Business located within the City
	S-628	Finance	SB 1186	\$4.00 SB 1186 Fee to be paid by all business certificate, regulatory, and STVR applicants	Per application/renewal
	S-629	Finance	Business Certificate Duplicate	\$21	Per duplicate
	S-630	Community Dev (Codes)	Amusement Permit	<u>New</u> - \$247 per permit, plus \$62 per Device, plus DOJ and other State fees <u>Renewal</u> - \$138 per permit, plus \$62 per Device, plus DOJ and other State fees	Per Permit
	S-631	Community Dev (Codes)	Dance Permit	<u>New</u> - \$247 per permit plus DOJ and other State fees <u>Renewal</u> - \$138 per permit plus DOJ and other State fees	Per Permit
	S-632	Community Dev (Codes)	Entertainment Permit	<u>New</u> - \$247 per permit plus DOJ and other State fees <u>Renewal</u> - \$138 per permit plus DOJ and other State fees	Per Permit
	S-633	Community Dev (Codes)	Firearms Permit	<u>New</u> - \$247 per permit plus DOJ and other State fees <u>Renewal</u> - \$138 per permit plus DOJ and other State fees	Per Permit
	S-634	Community Dev (Codes)	Massage Establishment Permit	<u>New</u> - \$247 per permit plus DOJ and other State fees <u>Renewal</u> - \$138 per permit plus DOJ and other State fees	Per Permit
	S-635	Community Dev (Codes)	Secondhand Dealer Permit	<u>New</u> - \$247 per permit plus DOJ and other State fees <u>Renewal</u> - \$138 per permit plus DOJ and other State fees	Per Permit
	S-636	Community Dev (Codes)	Solicitors Permit	<u>New</u> - \$247 per permit, plus \$105 for each additional solicitor, plus DOJ and other State fees <u>Renewal</u> - \$138 per permit, plus \$59 for each additional solicitor, plus DOJ and other State fees	Per Permit
	S-637	Community Dev (Codes)	Taxi Business Permit	<u>New</u> - \$355 per permit plus \$21 for each cab plus DOJ and other State fees <u>Renewal</u> - \$191 per permit plus \$21 for each cab plus DOJ and other State fees	Per Permit
	S-638	Community Dev (Codes)	Tobacco Sales Permit	<u>New</u> - \$247 <u>Renewal</u> - \$138 per permit plus DOJ and other State fees Late Fee - Renewal fee + 10%	Per Permit
	S-660	Engineering	Golf Cart Permit	\$10	Per permit

**CITY OF SOLANA BEACH**  
**Schedule of Fees**  
**Effective January 1, 2021**  
**Per Resolution 2020-141**

15% Discount	<b>Service Code #</b>	<b>Dept</b>	<b>Description of Service</b>	<b>Fee for Service Effective 01/01/2021</b>	<b>Fee Instructions/Notes</b>
<b>ADMINISTRATIVE SERVICES</b>					
	S-711	City Clerk	Notary Public Service	\$15 per signature	Per signature; limited to \$15 by State law.
	S-712	City Clerk	Document Certification	\$40 per item	Per item
	S-715	City Clerk	Audio/Video Tape Reproduction	Audio CD - \$22 DVD - \$22 Convert VHS to DVD - \$42 Convert Audio Cassette to CD/MP4 - Actual Costs	Per item
	S-716	City Clerk	Annual Agenda Mailing Subscription	\$334 staff costs plus \$59 copying/mailling costs = \$393 per subscriber per year	Per Annual Subscription
	S-717	City Clerk	Annual Agenda Packet Mailing Subscription	\$982 staff costs plus \$617 copying/mailling costs = \$1,599 per subscriber per year	Per Annual Subscription
	S-718	City Clerk	Special Notice Subscription	\$51 staff costs plus \$4 copying/mailling costs = \$55 per subscriber per year	Per Annual Subscription
	S-719	City Clerk	Document Print/Copy	<u>All Copies</u> - First 10 pages - No Charge \$0.20 per page for every page thereafter <u>Document Imaging</u> - First 10 pages - No Charge \$0.15 per page for every page thereafter <u>Data Copy</u> - \$8 per device <u>Agenda Packet</u> - \$67 <u>Maps/Blueprints</u> - Actual Costs	Per request
	S-720	City Clerk	Candidate Processing	\$25	Per application; fee set by the State
	S-721	City Clerk	Initiative Processing	\$200	Per initiative; fee set by the State
	S-722	City Clerk	Verification of Residency	\$19	Per request
	S-740	Finance	NSF Check	\$55	Per incident
	S-750	Finance	Credit Card Convenience Fee	set by City's Third-Party Credit Card Processor	Per credit card charge
	S-760	Various	Technology Surcharge	Charge 1.00% of all Plan Check and Permit fees and Entitlements (except Impact Fees)	

## ATTACHMENT A - Valuations 2009

Occ	Use	Type of Construction	2008-2009
R-2	Apartment Houses	*Type I or II-F.R.	141.69
	Apartment Houses	Type V or III (Masonry)	115.69
	Apartment Houses	Type V Wood Frame	106.60
	Apartment Houses	Type I Basement Garage)	49.40
B	Banks	*Type I or II-F.R.	192.39
	Banks	Type II 1-Hour	141.69
	Banks	Type II-N	137.79
	Banks	Type III 1-Hour	155.99
	Banks	Type III-N	150.79
	Banks	Type V 1-Hour	141.69
	Banks	Type V-N	136.49
	B	Car Washes	Type III 1-Hour
Car Washes		Type III-N	87.10
Car Washes		Type V 1-Hour	78.00
Car Washes		Type V-N	72.80
A-3	Churches	Type I or II-F.R.	128.69
	Churches	Type II 1-Hour	97.50
	Churches	Type II-N	92.30
	Churches	Type III 1-Hour	105.30
	Churches	Type III-N	100.10
	Churches	Type V 1-Hour	98.80
	Churches	Type V-N	92.30
I-2	Convalescent Hospitals	*Type I or II-F.R.	180.69
	Convalescent Hospitals	Type II 1-Hour	126.09
	Convalescent Hospitals	Type III 1-Hour	128.69
	Convalescent Hospitals	Type V 1-Hour	120.89
R-3	Dwellings ***	Type V Adobe	158.59
	Dwellings ***	Type V Masonry	126.09
	Dwellings ***	Type V Wood Frame	119.59
	Dwellings ***	Basements (semi-finished)	29.90
	Dwellings ***	Additions - Wood Frame	142.99
	Dwellings ***	Solariums	120.89
	Dwellings ***	Cabana - Pool House (Type V)	111.79
B/R/S	Fire Stations	Type I or II-F.R.	148.19
	Fire Stations	Type II 1-Hour	97.50
	Fire Stations	Type II-N	92.30
	Fire Stations	Type III 1-Hour	106.60
	Fire Stations	Type III-N	102.70
	Fire Stations	Type V 1-Hour	100.10
	Fire Stations	Type V-N	94.90
A-3	Fitness Centers	Same values as Office Buildings	
I-2	Hospitals	*Type I or II-F.R.	211.89
	Hospitals	Type III 1-Hour	175.49
	Hospitals	Type V 1-Hour	167.69
R-1	Hotels & Motels	*Type I or II-F.R.	131.29
	Hotels & Motels	Type III 1-Hour	114.39
	Hotels & Motels	Type III-N	107.90
	Hotels & Motels	Type V 1-Hour	98.80
	Hotels & Motels	Type V-N	97.50
F	Industrial Plants	Type I or II-F.R.	74.10
	Industrial Plants	Type II 1-Hour	52.00
	Industrial Plants	Type II N (Stock)	48.10
	Industrial Plants	Type III 1-Hour	57.20
	Industrial Plants	Type III-N	53.30
	Industrial Plants	Tilt-up	39.00

## ATTACHMENT A - Valuations 2009

Occ	Use	Type of Construction	2008-2009
	Industrial Plants	Type V 1-Hour	53.30
	Industrial Plants	Type V-N	49.40
B	Medical Offices	*Type I or II-F.R.	155.99
	Medical Offices	Type II 1-Hour	119.59
	Medical Offices	Type II-N	114.39
	Medical Offices	Type III 1-Hour	129.99
	Medical Offices	Type III-N	120.89
	Medical Offices	Type V 1-Hour	116.99
	Medical Offices	Type V-N	113.09
B	Offices	*Type I or II-F.R.	139.09
	Offices	Type II 1-Hour	93.60
	Offices	Type II-N	88.40
	Offices	Type III 1-Hour	100.10
	Offices	Type III-N	96.20
	Offices	Type V 1-Hour	93.60
	Offices	Type V-N	88.40
U	Private Garages	Wood Frame - Finished	31.20
	Private Garages	Wood Frame - Unfinished	31.20
	Private Garages	Masonry	36.40
	Private Garages	Open Carports	22.10
B	Public Buildings	*Type I or II-F.R.	159.89
	Public Buildings	Type II 1-Hour	129.99
	Public Buildings	Type II-N	124.79
	Public Buildings	Type III 1-Hour	135.19
	Public Buildings	Type III-N	129.99
	Public Buildings	Type V 1-Hour	123.49
	Public Buildings	Type V-N	119.59
S-2	Public Garages	*Type I or II-F.R.	63.70
	Public Garages	*Type I or II Open Parking	48.10
	Public Garages	Type II-N	36.40
	Public Garages	Type III 1-Hour	48.10
	Public Garages	Type III-N	42.90
	Public Garages	Type V 1-Hour	44.20
A-2	Restaurants	Type III 1-Hour	127.39
	Restaurants	Type III-N	122.19
	Restaurants	Type V 1-Hour	115.69
	Restaurants	Type V-N	111.79
E	Schools	Type I or II-F.R.	144.29
	Schools	Type II 1-Hour	98.80
	Schools	Type III 1-Hour	105.30
	Schools	Type III-N	101.40
	Schools	Type V 1-Hour	98.80
	Schools	Type V-N	94.90
M	Service Stations	Type II-N	87.10
	Service Stations	Type III 1-Hour	91.00
	Service Stations	Type V 1-Hour	78.00
	Service Stations	Canopies	36.40
M	Stores	*Type I or II-F.R.	106.60
	Stores	Type II 1-Hour	65.00
	Stores	Type II-N	63.70
	Stores	Type III 1-Hour	79.30
	Stores	Type III-N	75.40
	Stores	Type V 1-Hour	67.60
	Stores	Type V-N	62.40
	Stores	Retail Garden Center (Type V-N)	51.71

## ATTACHMENT A - Valuations 2009

Occ	Use	Type of Construction	2008-2009
A-1	Theatres	Type I or II-F.R.	142.99
	Theatres	Type III 1-Hour	104.00
	Theatres	Type III-N	98.80
	Theatres	Type V 1-Hour	97.50
	Theatres	Type V-N	92.30
S	Warehouses **	Type I or II-F.R.	63.70
	Warehouses **	Type II 1-Hour	37.70
	Warehouses **	Type II-N	36.40
	Warehouses **	Type III 1-Hour	42.90
	Warehouses **	Type III-N	41.60
	Warehouses **	Type V 1-Hour	37.70
	Warehouses **	Type V-N	36.40
<b>NOTE:</b>	Add 0.5 percent to the total cost for each story over three		
	Deduct 11 percent for mini-warehouse		
	For subdivisions with 10 or more single family dwellings which have plan check and building permit issuances in groups of 10 or more, the valuation of the plan check and building permit fees may be increased by 10 percent.		
<b>MISCELLANEOUS</b>			
	Agricultural Building.		22.10
	Aluminum Siding.		6.50
	Antennas	Radio over 30 ft. high	4,185.81
	Antennas	Dish, 10 ft. dia.w/decoder	5,089.27
	Awning or Canopy (supported by building)	Aluminum	24.70
	Awning or Canopy (supported by building)	Canvas	10.40
	Balcony		16.90
	Decks (wood)		16.90
	Demolition of Building		5.20
	Fence or Freestanding Wall	Wood or Chain Link	2.60
	Fence or Freestanding Wall	Wood Frame with Stucco	6.50
	Fence or Freestanding Wall	Wire	2.60
	Fence or Freestanding Wall	Masonry	10.40
	Fence or Freestanding Wall	Wrought Iron	6.50
	Foundation Only (25% of value of whole building). Remainder of building will be valued at 75% of the building		
	Greenhouse		6.50
	Manufactured Housing (25% of value of "site built" house)		28.60
	Mobile Home		28.60
	Patio	Wood Frame with Cover	10.40
	Patio	Metal Frame with Cover	13.00
	Patio	Wood Frame Cover & Walls	14.30
	Patio	Metal Frame Cover & Walls	16.90
	Patio	Screen or Plastic Walls	3.90
	Plastering	Inside	3.90
	Plastering	Outside	3.90
	Retaining Wall	Concrete or Masonry	20.80
	Reroofing (1 square = 100 square feet)	Built-up	158.59
	Reroofing (1 square = 100 square feet)	Composition Shingles	148.19
	Reroofing (1 square = 100 square feet)	Fiberglass Shingles	148.19
	Reroofing (1 square = 100 square feet)	Asbestos Cement Shingles	352.28



<b>ATTACHMENT A - Valuations 2009</b>			
<b>Occ</b>	<b>Use</b>	<b>Type of Construction</b>	<b>2008-2009</b>
	Reroofing (1 square = 100 square feet)	Wood Shingles (Class C min)	352.28
	Reroofing (1 square = 100 square feet)	Wood Shakes (Class C min)	352.28
	Reroofing (1 square = 100 square feet)	Aluminum Shingles	531.68
	Reroofing (1 square = 100 square feet)	Clay Tile	445.88
	Reroofing (1 square = 100 square feet)	Concrete Tile	376.98
	Roof Structure Replacement		16.90
	Saunas (Steam)		10,447.63
	Spa or Hot Tub ("Jacuzzi®")		8,571.81
	Stairs		16.90
	Stone and Brick Veneer		10.40
	Storage Racks	per CF	1.30
	Swimming Pool (per sf surface area)	Vinyl-lined	40.30
	Swimming Pool (per sf surface area)	Gunite	44.20
	Swimming Pool (per sf surface area)	Fiberglass	48.10
	Tenant Improvements	Medical offices, restaurants, hazardous 'h' occupancies	54.60
	Tenant Improvements	Other such as stores & offices	40.30
<b>General Additions and Modifiers</b>			
	Fire Sprinkler System		3.38
	Air Conditioning-Commercial		5.46
	Air Conditioning-Residential		4.55
	Fireplace-Concrete or masonry		4,185.81
	Fireplace-prefabricated metal		2,845.57
	Pile Foundations	Cast-in-place concrete piles	27.30
	Pile Foundations	Steel piles	67.60
<b>Alterations to Existing Structures</b> <i>(with no additional Floor Area or Roof Cover)</i>			
	Interior Partition		62.40
	Install Windows or Sliding Glass Doors		19.50
	Close Exterior Wall Opening		18.20
<b>Shell Buildings</b>			
B	Banks	*Type I or II-F.R	153.91
	Banks	Type II 1-Hour	113.35
	Banks	Type II-N	110.24
	Banks	Type III 1-Hour	124.79
	Banks	Type III-N	120.63
	Banks	Type V 1-Hour	113.35
	Banks	Type V-N	109.20
B	Medical Offices	*Type I or II-F.R.	124.79
	Medical Offices	Type II 1-Hour	95.68
	Medical Offices	Type II-N	91.52
	Medical Offices	Type III 1-Hour	104.00
	Medical Offices	Type III-N	96.72
	Medical Offices	Type V 1-Hour	93.60
	Medical Offices	Type V-N	90.48
B	Offices	*Type I or II-F.R.	111.27
	Offices	Type II 1-Hour	74.88
	Offices	Type II-N	70.72
	Offices	Type III 1-Hour	80.08
	Offices	Type III-N	76.96

<b>ATTACHMENT A - Valuations 2009</b>			
<b>Occ</b>	<b>Use</b>	<b>Type of Construction</b>	<b>2008-2009</b>
	Offices	Type V 1-Hour	74.88
	Offices	Type V-N	70.72
A-2	Restaurants	Type III 1-Hour	101.92
	Restaurants	Type III-N	97.76
	Restaurants	Type V 1-Hour	92.56
	Restaurants	Type V-N	89.44
M	Stores	*Type I or II-F.R.	85.28
	Stores	Type II 1-Hour	52.00
	Stores	Type II-N	50.96
	Stores	Type III 1-Hour	63.44
	Stores	Type III-N	60.32
	Stores	Type V 1-Hour	54.08
	Stores	Type V-N	49.92



# STAFF REPORT CITY OF SOLANA BEACH

**TO:** Honorable Mayor and City Councilmembers  
**FROM:** Gregory Wade, City Manager  
**MEETING DATE:** November 18, 2020  
**ORIGINATING DEPT:** City Manager  
**SUBJECT:** **Santa Fe Christian Lighting Temporary Use Permit (TUP)  
Application and COVID TUP Policy Extension**

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## **BACKGROUND:**

On June 10, 2020, the City Council (Council) adopted Resolution 2020-087 approving, among other actions, a Temporary Use Permit (TUP) Policy (Policy) to allow restaurant and café uses to provide outdoor dining. The Policy was adopted and an administrative application and review process was established by Staff to implement this Policy. This Policy facilitates the review and issuance of a TUP allowing certain uses to operate outdoors on adjacent sidewalks, parking lots or other outdoor areas while also complying with traffic, safety, liability and Americans with Disabilities Act (ADA) requirements. The COVID TUP Policy is due to expire December 31, 2020.

Following adoption of Resolution 2020-087 and implementation of the TUP Policy for restaurant and café uses, and based on a surge in coronavirus transmissions, further measures were imposed to close gyms, churches, offices, hair & nail salons, and other businesses. Shortly thereafter, the County of San Diego was allowed to modify its Public Health Order (PHO) to allow all restaurants, gyms and fitness centers, hair salons and nail salon to operate outdoors only.

Because Resolution 2020-087 applied only to restaurants and cafes and in response to the revised PHO, on July 31, 2020, the City Manager, operating as the Director of Emergency Services, issued an Emergency Order expanding the TUP process for outdoor use to be applied also to gyms and fitness centers and personal care services such as hair salons, barber shops and nail salons. This Order was ratified by Council at their meeting on August 28, 2020.

Following adoption of Resolution 2020-087 and implementation of the TUP Policy, communities across the state began preparing for school reopening. As a result, the California Department of Public Health established guidance for schools and school-

CITY COUNCIL ACTION:

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**AGENDA ITEM C.1.**

based programs. These guidelines include measures that would allow sports and extra-curricular activities.

Santa Fe Christian Schools (SFCS) has prepared a plan to address the California Interscholastic Federation (CIF) COVID plan to abbreviate the traditional sport seasons which make practicing for many sports infeasible during limited daylight hours. This item is before Council to consider a temporary lighting solution that would provide safe practice space for SFCS athletics.

This item is before Council to consider two items:

- 1) Conditionally approving SFCS's request to allow the use of temporary lighting for Santa Fe Christian CIF athletic practices.
- 2) Approving Resolution 2020-148 extending COVID TUP Policy through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is earliest.

## **DISCUSSION:**

### **SFCS Lighting TUP Application**

The purpose of the TUP is to control and regulate land use activities of a temporary nature which may otherwise adversely affect the public health, safety, and welfare. In this case, Council has taken actions pursuant to Resolution 2020-087 to allow and encourage outdoor activities to support the public's health, safety, and welfare by encouraging outdoor activities that allow for greater social distancing and follow County Health Department guidelines to minimize the spread of the Coronavirus.

At the time Resolution 2020-087 was adopted, the need to allow for temporary activities associated with schools was not considered because it was unknown how the governing body for high school sports in California (CIF) was going to address the resumption of athletic activities. High school sports are an unusual activity and would not apply to other uses or businesses in the City, therefore, City Council's consideration of this unique request for a temporary period of time is appropriate. Additionally, Council may consider conditionally approving the temporary lighting request for athletic activities that would minimize any adverse effects to the surrounding area.

Staff has reviewed the application and supporting information provided by SFCS. The applicant is proposing to limit the use of lights for team training purposes and has proposed times when the lights will be turned off for each respective season (Season 1 - 7:00 PM December through March; Season 2 - 8:00 PM March through May). The applicant has also submitted an exterior lighting plan that complies with the City's exterior lighting regulations that limits light trespass onto adjacent premises.

Staff does note that in 2001, the City Council approved Resolution 2001-077 (CUP 17-00-08) approving the SFCS Master Plan. Resolution 2001-077 includes a condition that specifically states, “No Sports Field night lighting shall be allowed. (This condition specifically supersedes previous approval for 35-foot high sports field lighting.)” The lighting previously proposed in 2001 was for permanent fixtures and certainly could not have anticipated the current public health issue that is being experienced at this time. The proposed light standards under this TUP application would be temporary and would be required to be removed at the end of the permitting period.

If the City Council determines that the temporary lighting request is compatible with surrounding land uses, and the plan sufficiently protects the rights of adjacent residences and landowners, and the plan minimizes any adverse effects on surrounding properties and the environment, they may conditionally approve the temporary use permit application. Staff is recommending that the temporary lighting use be limited from December 2020 through March 14, 2021, the date on which Pacific Daylight Time begins, with lighting to be turned off by 7:00 PM nightly. A draft Notice of Determination conditionally approving the TUP application has been attached for City Council consideration.

#### TUP Policy Extension

Pursuant to Resolution 2020-087, the TUP Policy that allowed temporary outdoor expansion for certain uses with approval of a Temporary Use Permit, is due to expire on December 31, 2020. Due to the on-going Public Health Order (PHO) and COVID-19 pandemic, it is anticipated that restrictions on indoor uses will continue to be in effect beyond the end of the 2020 calendar year. Businesses continue to face extreme economic challenges and uncertainty due to COVID-19 and the respective PHO's. Extension of the TUP Policy would be consistent with existing PHO guidance while supporting and encouraging economic growth and the business community in the City. Staff is seeking Council direction on the recommended extension of the provisions of Resolution 2020-087 through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is comes first.

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

This project is necessary to mitigate an emergency and is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 of the State CEQA Guidelines.

#### **FISCAL IMPACT:**

There is no fiscal impact associated with this Staff Report.

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Department recommendation.
- Approve Department recommendation with additional conditions/changes.
- Do not approve Department recommendation.
- Provide alternative direction.


**DEPARTMENT RECOMMENDATION:**

It is recommended that City Council consider the following:

- 1) Conditionally approving the Santa Fe Christian Temporary Use Permit application.
- 2) Approving Resolution 2020-148 authorizing extension of the Temporary Use Permit Policy through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is earliest.

**CITY MANAGER'S RECOMMENDATION:**

Approve Department Recommendation.

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

Attachments:

1. Draft Notice of Determination – Conditionally Approving SFCS TUP Application
2. SFCS Letter to City Manager
3. SFCS TUP application
4. SFCS Lighting Plan
5. Resolution 2020-148: TUP Policy Extension



## CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075-2215 • (858) 720-2400  
www.cityofsolanabeach.org FAX (858) 792-6513

# NOTIFICATION OF DETERMINATION

**APPLICATION NO.:** TUP 20-029  
**APPLICANT:** Rod Gilbert (SFCS Temporary Lighting)  
**ADDRESS:** 667 San Rodolfo Dr., #126, Solana Beach  
**DESCRIPTION:**

The applicant has requested consideration of a Temporary Use Permit to allow temporary lighting for high school sports practices due to COVID-19 social distancing guidelines and California Interscholastic Federation (CIF) consolidated and abbreviated sports seasons.

**ENVIRONMENTAL STATUS:** Categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15304 of the State CEQA Guidelines.

**DECISION:** **APPROVED WITH CONDITIONS**

### **CONDITIONS:**

Use of the property in reliance on this temporary use permit includes that the Applicant shall provide for and adhere to the following:

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

- I. Temporary outdoor lighting of sports fields shall be permitted in substantial conformance with the application and plans submitted by the applicant, except where otherwise conditioned.
- II. Temporary outdoor lighting of sports fields shall be limited for CIF sports practices.
- III. The use of temporary outdoor lighting shall be allowed December 2020 through March 14, 2021 and shall be turned off by 7:00pm.
- IV. A permit for the installation of the temporary lighting shall be obtained from the City of Solana Beach Building Department.
- V. A permit for the installation of the temporary lighting shall be obtained from the City of Solana Beach Building Department.

**ATTACHMENT 1**

- VI. The number and location of the lights shall be in conformance with the approved plans submitted with the SFCS TUP application.
- VII. Direction of lighting may be required to be modified at the request of the City Manager or their designee to address light glare. Any such modification must be made by SFCS within 24 hours of such request.
- VIII. Light trespass shall not exceed a value of 0.02 foot candles measured in the horizontal or vertical plane at a point five feet inside the adjacent property.
- IX. Removal of poles and lights shall be done within 7 days of expiration of the TUP.
- X. The City has the right to require lighting modifications and/or hours of lighting operations with reasonable notice to SFCS representatives.
- XI. Other Regulations and Approvals. SFCS is responsible for maintaining compliance with all other applicable regulations, in general and for their industry, and obtaining any approvals required from other agencies, including, but not limited to, the San Diego County Department of Environmental Health, and shall comply with County Health Department Guidelines for such activities.
- XII. The City has the right to modify or revoke the temporary use permit for failure to comply with conditions and any other local, state, or federal regulations.
- XIII. EXPIRATION: The TUP for the project will expire on May 31, 2021, or until the emergency order and social distancing requirements are lifted and the regular CIF schedule is resumed, whichever is earlier.
- XIV. 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, judgements, 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 Applicant approves such settlement.

**APPEAL:**

Pursuant to Solana Beach Municipal Code (SBMC) Section 17.72.070, this decision may be appealed to the City Council within 15 days of the date of this decision.

Signed:

Date of Determination:

\_\_\_\_\_  
Joseph Lim, AICP  
Community Development Director

\_\_\_\_\_



October 9, 2020

Mr. Greg Wade, City Manager  
City of Solana Beach  
City Hall 635 S. HWY 101  
Solana Beach, CA 92075

Dear Mr. Wade:

As a result of the COVID-19 pandemic, the California Interscholastic Federation (CIF), the governing body for high school sports in California, has consolidated and abbreviated the three traditional sports (Fall, Winter, Spring) seasons into two (Season 1 & Season 2). Season 1 sports will begin on December 14, 2020, and Season 2 sports will start on March 15, 2021. As a result of the reorganization and consolidation, the field sports soccer (men's and women's teams), lacrosse, baseball, and softball will all be playing in the same season. Thus, scheduling practices for all these sports will not be feasible with limited daylight hours.

Below is a proposal for a phased, **temporary lighting solution** to provide **safe practice** spaces for SFC athletics to be used **only** during SFC sports' practice time. We anticipate the need for temporary lighting beginning in mid-December with Season 1 sports and will continue through May. This solution allows SFC to schedule practices during dusk and accommodate all sports in these newly reconstructed seasons, eliminating busing to off-campus field space for practices.

Our proposed solution utilizes simple, removable, 110v powered LED lights (see images below). The solution will also eliminate the need to acquire noisy, gas-powered temporary lights due to the daylight constraints.

#### **Phase 1:**

Supporting CIF "Season 1" sports – December 2020 to March 2021

- Installation of temporary lighting timeline: Early December 2020
- Maximum operation time of lights: **1 Hour**
- Lights will be turned-off by: **7:00pm**
- Deploy six 110v power spotlights. Located on the west side of the football field (see images below)

## Phase 2:

Supporting "Season 2" sports - March 2021 to May 2021

- Installation timeline: March 2021
- Maximum Operation Time of Lights: **90 minutes**
- Lights will be turned-off by: **8:00pm**
- Deploy five 110v power spotlights east of the football field, on the baseball diamond, science building, and athletic trainers office.

Thank you for your consideration and approval of this proposal.

Sincerely,

Doug Miller  
Director of Athletics

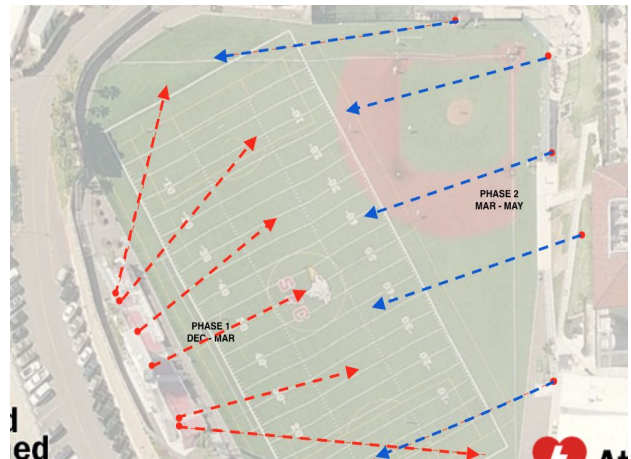
### IMAGE 1 - PHASE 1

LED light station technology with 110v power source.



### IMAGE 2 - PHASE 1

Lighting station locations



**IMAGE 3 - PHASE 1**

Test Lighting - 2 lights facing east on the football field



**IMAGE 4 - PHASE 2**

Test Lighting - 1 light facing west, above the 3<sup>rd</sup> baseline of the baseball diamond





# CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH • CALIFORNIA 92075 • (858) 720-2400 • FAX (858) 755-1782

## TEMPORARY USE PERMIT APPLICATION (COVID-19 ECONOMIC RECOVERY)

Project Address: 838 ACADEMY DRIVE, SOLANA BEACH 92075

Project Assessor's Parcel Number: 298-112-29-00

### A. APPLICANT INFORMATION & PROJECT SUMMARY:

1. Applicant's Name: ROD GILBERT SANTA FE CHRISTIAN SCHOOLS  
(Last, First & Middle Initial and Company Name)
2. Applicant's Mailing Address: 838 ACADEMY DRIVE, SOLANA BEACH 92075  
(Street, City, State & ZIP Code)
3. Applicant's Telephone: 858-755-8900 Fax: \_\_\_\_\_
4. Applicant's Email Address: RGILBERT@SFCs.NET Cell Phone: 512-466-5094
5. Preferred Method of Contact: EMAIL
6. Applicant's Representative: DOUG MILLER
7. Representative's Address: 838 ACADEMY DRIVE, SOLANA BEACH 92075
8. Representative's Telephone/Cell: 714-514-6165 Fax: \_\_\_\_\_
9. Representative's Email Address: DMILLER@SFCs.NET
10. Project Description (Residential, Commercial, Industrial, or Mixed Use; number of structures, square footage, number of stories, etc.):  
TEMPORARY PRACTICE LIGHTING OF  
SPORTS FIELD

11. Are there any permits already granted for use of the property such as variances, major or minor use permits, site plans, county coastal use permits, State of CA Coastal Permits, etc.?: (reference number if any)  
NOT AT THIS TIME

### FOR OFFICE USE ONLY

Application No: \_\_\_\_\_ General Plan: \_\_\_\_\_ Overlay: \_\_\_\_\_  
Fee: N/A Date Paid: \_\_\_\_\_ Zoning: \_\_\_\_\_  
Related Projects: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Conditions: \_\_\_\_\_

**PROJECT AND APPLICATION INFORMATION:**

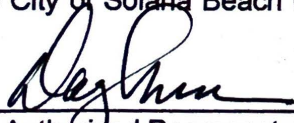
1. Facilities to be open: from 7 a.m. to 7 p.m. on weekdays;  
from 8 a.m. to 4 p.m. on weekends
2. Total number of employees 160  
Estimated Number of clients, customers or users each day \_\_\_\_\_
3. List proposed uses and square footages of each: N/A
4. Will the project generate noise which could be heard outside the project area? NO  
Noise source? \_\_\_\_\_ Where? \_\_\_\_\_
5. Other \_\_\_\_\_
6. Will alcohol be served in temporary expansion areas?  YES  NO
7. Existing Occupancy \_\_\_\_\_ Proposed Occupancy \_\_\_\_\_
8. Site Plan required, showing existing area and proposed expansion area. Plans must be drawn to scale and must provide sufficient information to determine that sufficient access and egress can be maintained.
9. Additional information may be submitted and/or required to make a final determination.

**ENFORCEMENT:** Pursuant to SBMC Section 17.72.120(B) failure to satisfy any conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.16 and 1.18 in addition to any applicable revocation proceedings.

**EXPIRATION:** The TUP will expire December 31, 2020 unless otherwise authorized by the resolution of the City Council or an extension of the application may be granted by the Director, subject to SBMC Section 17.72.110.

**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 the 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, the 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 the Applicant.

I hereby certify under penalty of perjury that I or my authorized representative have delivered the aforementioned items to the City of Solana Beach Community Development Department and accept the terms and conditions of approval.

  
\_\_\_\_\_  
Applicant or Authorized Representative's Signature

10/12/20  
Date

DOUG MILLER  
Applicant or Authorized Representative's Printed Name



View\_1:Plan Rotated 0 Tilted 0  
Scale: 1 inch= 20 Ft.

# ATTACHMENT 4

Calculation Summary								
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min	Description
FIELDS	Illuminance	Fc	3.14	20.9	0.1	31.40	209.00	3' AFG

Luminaire Schedule						
Symbol	Qty	Label	Arrangement	Lum. Lumens	LLF	Description
☉	11	M	SINGLE	64343	0.900	FL-SR360U5557B with FL-SRVISORB

Luminaire Location Summary					
LumNo	Label	X	Y	Z	Orient
1	M	25.468	315.373	35	4.949
2	M	8.33	217.308	45	1.176
3	M	44.431	119.439	32	4.821
4	M	44.431	68.54	32	2.779
5	M	102.372	8.387	32	33.121
6	M	374.747	247.665	32	210.024
7	M	374.747	247.665	32	239.282
8	M	362.515	270.247	32	205.206
9	M	344.167	301.297	32	199.637
10	M	325.82	334.7	32	172.499
11	M	325.82	334.7	32	196.554

DISCLAIMER: This calculation is based on the best information provided to MaxLite by the client. These findings should be verified by a certified electrical engineer as to their accuracy. Design changes such as wall, ceiling, floor heights and reflectance of all interior surfaces including partition walls may adversely affect the overall light levels. MaxLite is not responsible as to the veracity of these calculations, and they should only be used as a design reference tool.

#	Date	Comments
Revisions		

CLIENT:	SANTA FE CHRISTIAN
Date:	10/13/2020
CALC BY:	D. Gilmore
SFCA-BAGI	

SANTA FE CHRISTIAN	ACADEMY OPTION - B
--------------------	--------------------



View\_1:Plan Rotated 0 Tilted 0  
Scale: 1 inch= 16 Ft.

DISCLAIMER: This calculation is based on the best information provided to MaxLite by the client. These findings should be verified by a certified electrical engineer as to their accuracy. Design changes such as wall, ceiling, floor heights and reflectance of all interior surfaces including partition walls may adversely affect the overall light levels. MaxLite is not responsible as to the veracity of these calculations, and they should only be used as a design reference tool.



12 YORK AVE.  
WEST CALDWELL, N.J.  
07006  
(800) 555-5629  
WWW.MAXLITE.COM

#	Date	Comments

Revisions

CLIENT: SANTA FE CHRISTIAN  
Date: 10/13/2020  
CALC BY: D. Gilmore  
SFCR-BAGI

SANTA FE CHRISTIAN  
ACADEMY OPTION - B



**RESOLUTION 2020-148**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, EXTENDING COVID TEMPORARY USE PERMIT POLICY, RESOLUTION 2020-087 THROUGH APRIL 30, 2021**

**WHEREAS**, on June 10, 2020, the City Council adopted Resolution 2020-087 approving, among other actions, a Temporary Use Permit Policy to allow specified uses to operate outdoors; and

**WHEREAS**, the COVID TUP Policy is due to expire on December 31, 2020; and

**WHEREAS**, businesses continue to face extreme economic challenges and uncertainty due to COVID-19; and

**WHEREAS**, the City Council wishes to support and encourage economic growth and the business community in the City while being responsive to the COVID-19 pandemic and County Public Health Orders.

**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 Council authorizes an extension of the Temporary Use Permit Policy through April 30, 2021, or until the emergency order and social distancing requirements are lifted, whichever is earliest.

**PASSED AND ADOPTED** this 18<sup>th</sup> day of November, 2020, at a regular meeting of the City Council of the City of Solana Beach, California by the following vote:

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

\_\_\_\_\_  
JEWEL EDSON, 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:** November 18, 2020  
**ORIGINATING DEPT:** Engineering Department  
**SUBJECT:** **Council Consideration of Resolution 2020-142 Authorizing the City Manager to Approve Change Order No. 2 to the Construction Contract with War Rhino, Inc. for the City Hall and Fire Station Repair Project and Appropriation of Additional Funding**

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## **BACKGROUND:**

The City Hall and Fire Station buildings are both relatively old and are in need of regular maintenance. During the past several months, Staff become aware of rain water intrusion inside both buildings. In January 2020, a Professional Services Agreement (PSA) was executed with ET&T Indoor Environmental (ET&T) to conduct a visual inspection in the accessible areas of the City Hall and Fire Station buildings for signs of water damage and elevated moisture. In addition, air samples were collected in representative areas and outside the buildings for reference. At the end of the inspections, ET&T prepared a report for each building.

The result of the inspections was that water damage and elevated moisture levels were found at numerous enclosed locations at City Hall. At these locations, the recommendation was to have exploratory cuts made for more in-depth investigation. At the Fire Station, two areas were recommended to have exploratory cuts made for investigation in areas where water damage and elevated moisture levels were found. It is important to note that the analysis determined that there was no immediate threat to public health. Additionally, the analysis verified that the air quality in both facilities were equal to or better than that of the outside, ambient environment. The reports concluded that both facilities meet safety standards for occupancy.

In an effort to observe economies of scale, Staff developed a construction project for repair of the water damaged areas as well as replacement of carpet for the first floor at City Hall, painting of the second floor at the Fire Station and replacement of window

CITY COUNCIL ACTION:

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coverings at the Fire Station. The project was advertised for construction bids in May 2020, bids were opened in June 2020 and a construction contract was awarded to War Rhino, Inc. on July 8, 2020.

This item is before the City Council to consider approving Resolution 2020-142 (Attachment 1) that would authorize the City Manager to execute Change Order No. 2 to the construction contract with War Rhino, Inc. for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.

### **DISCUSSION:**

The construction contract for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02, was approved in the amount of \$83,096.77 by the City Council at the July 8, 2020 City Council meeting. As part of the approval, a construction contingency was approved in the amount of \$25,000. At thirty percent (30%), the contingency was larger than normal since projects like this present typically present a lot of unknowns and can uncover additional work that cannot be ignored. In this case, the extent of the water damage was not known until the work started and the drywall was removed.

Work has proceeded in six (6) of fourteen (14) areas identified at City Hall and the entire construction contingency will already be expended per Change Order No.1. Since it was within the authority of the City Manager, Change Order No. 1 was approved and included work in the Council Chambers near the video production room. The cause of the problem was a small, rooftop air conditioning unit that cools the video production room. This air conditioning unit had two refrigeration lines whose insulation had severely degraded and/or were uninsulated. During warm days when the unit ran, the uninsulated lines produced condensation that, over many years, left extensive water damage in the ceiling of the Council Chambers near the video production room and in the second floor storage attic above the east part of the Council Chambers. The cost of repairs for this issue alone was approximately \$18,000, which includes the second floor storage attic that was not in the original scope of work or construction contract.

At this time, not all of the areas identified in the construction contract have been opened up to determine the extent of the damage. A couple of areas where the dry wall has been removed revealed more extensive damage than was originally anticipated. Change Order Requests submitted for the Mayor's Conference Room, one office in the Engineering Department and the City Clerk's office now total approximately \$33,000. Additionally, necessary work in the City Clerk's office was not identified in the inspection report prepared by ET&T so it was not included as part of the original construction contract.

Once all areas of the building identified in the construction contract are exposed, Staff should have a better idea as to how much additional work will be required to complete the project. Since it is not possible to expose all areas of the project at once without widespread disruption to the City's workforce, an estimate has been made to determine

how much additional funds are needed to complete the project. If additional funds are required beyond the scope of work identified in this Staff Report, Staff would come back before the Council at an appropriate time. It should also be noted that, under current circumstances wherein many employees are telecommuting and City Hall remains closed to the general public, this is an optimal time to complete this work.

**CEQA COMPLIANCE STATEMENT:**

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

**FISCAL IMPACT:**

The CIP appropriated \$90,000 in CIP-08 for deferred maintenance at City Hall and \$55,000 in CIP-16 for deferred maintenance at the Fire Station for a total of \$145,000. The construction contract with War Rhino, Inc. is for \$83,096.77. A construction contingency of \$25,000 and a compliance testing agreement with ET&T for \$20,000 were also approved at the time the construction contract was awarded. That leaves just under \$17,000 of unencumbered funds allocated within the project accounts.

Staff is recommending an additional \$70,000 be added to the construction contingency in order to complete the project. Since there is approximately \$17,000 in unencumbered funding in the project accounts, an additional \$53,000 would need to be appropriated from the General Fund – Undesignated Reserves into the construction contingency.

**WORK PLAN:**

This project is not identified in the FY 2020/21 Work Plan.

**OPTIONS:**

- Adopt Staff recommendations and authorize the City Manager to sign Change Order No. 2.
- Provide alternative direction to Staff.

**DEPARTMENT RECOMMENDATION:**

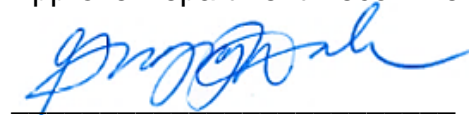
Staff recommends that the City Council adopt Resolution 2020-142:

1. Authorizing the City Manager to execute Change Order No. 2 to the construction contract with War Rhino, Inc., in the amount of \$70,000, for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.

2. Approving an appropriation of \$53,000 from the General Fund/Undesignated Reserves to the Capital Improvement Program for the City Hall and Fire Station deferred maintenance project.
3. Authorizing the City Manager to execute change orders up to the amount of the revised contingency of \$95,000.
4. Authorizing the City Treasurer to amend the FY 2020/21 Adopted Budget accordingly.

**CITY MANAGER’S RECOMMENDATION:**

Approve Department Recommendation.



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

Attachments:

1. Resolution 2020-142

## RESOLUTION 2020-142

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO APPROVE CHANGE ORDER NO. 2 TO THE CITY HALL AND THE FIRE STATION REPAIR PROJECT AND APPROPRIATION OF ADDITIONAL FUNDING**

**WHEREAS**, in January 2020, a Professional Services Agreement (PSA) was executed with ET&T Indoor Environmental (ET&T) to conduct a visual inspection in the accessible areas of the City Hall and Fire Station buildings for signs of water damage, elevated moisture and/or microbial growth; and

**WHEREAS**, the result of the inspections was that water damage and elevated moisture levels were found at numerous enclosed locations at City Hall. At these locations, the recommendation was to have exploratory cuts made for more in-depth investigation. At the Fire Station, two areas were recommended to have exploratory cuts made for investigation in areas where water damage and elevated moisture levels were found; and

**WHEREAS**, this project was advertised for construction bids on May 20, 2020, bids were opened on June 16, 2020 and a construction contract was awarded at the July 8, 2020 City Council meeting; and

**WHEREAS**, due to unforeseen conditions discovered once construction started, Staff is recommending an additional construction contingency of \$70,000 be appropriated for completion of the project; and

**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 authorizes the City Manager to execute Change Order No. 2 to the construction contract with War Rhino, Inc., in the amount of \$70,000, for the Solana Beach City Hall and Fire Station Water Damage Remediation and Restoration Project, Bid No. 2020-02.
3. That the City Council approves an appropriation of \$53,000 from the General Fund/Undesignated Reserves to the Capital Improvement Program for the City Hall and Fire Station Repair Project.

4. That the City Council authorizes the City Manager to execute change orders up to the amount of the revised contingency of \$95,000.
5. That the City Council authorizes the City Treasurer to amend the FY 2020/21 Adopted Budget accordingly.

**PASSED AND ADOPTED** this 18th day of November, 2020, at a special meeting of the City Council of the City of Solana Beach, California by the following vote:

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

\_\_\_\_\_  
JEWEL EDSON, Mayor

APPROVED AS TO FORM:

ATTEST:

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

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