

CITY OF SOLANA BEACH

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



MODIFIED AGENDA

Joint REGULAR Meeting

Wednesday, March 28, 2018 * 6:00 P. M.

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

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

PUBLIC MEETING ACCESS

The Regular Meetings of the City Council are scheduled for the 2nd and 4th Wednesdays and are broadcast live on Cox Communications-Channel 19, Time Warner-Channel 24, and AT&T U-verse Channel 99. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's website.

AGENDA MATERIALS

A full City Council agenda packet including relative supporting documentation is available at City Hall, the Solana Beach Branch Library (157 Stevens Ave.), La Colonia Community Ctr., and online www.cityofsolanabeach.org. Agendas are posted at least 72 hours prior to regular meetings and at least 24 hours prior to special meetings. Writings and documents regarding an agenda of an open session meeting, received after the official posting, and distributed to the Council for consideration, will be made available for public viewing at the same time. In addition, items received at least 1 hour 30 minutes prior to the meeting time will be uploaded online with the courtesy agenda posting. Materials submitted for consideration should be forwarded to the City Clerk's department 858-720-2400. The designated location for viewing public documents is the City Clerk's office at City Hall during normal business hours.

SPEAKERS

Please submit a speaker slip to the City Clerk prior to the meeting, or the announcement of the Section/Item, to provide public comment. Allotted times for speaking are outlined on the speaker's slip for each agenda section: Oral Communications, Consent, Public Hearings and Staff Reports.

AMERICAN DISABILITIES ACT TITLE 2

In compliance with the Americans with Disabilities Act of 1990, persons with a disability may request an agenda in appropriate alternative formats as required by Section 202. Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to the City Clerk's office (858) 720-2400 at least 72 hours prior to the meeting.

As a courtesy to all meeting attendees, please set cellular phones and pagers to silent mode and engage in conversations outside the Council Chambers.

CITY COUNCILMEMBERS

Ginger Marshall, Mayor

David A. Zito, Deputy Mayor

Jewel Edson, Councilmember

Judy Hegenauer, Councilmember

Vacant

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

Please submit your speaker slip to the City Clerk prior to the meeting or the announcement of the Item. Allotted times for speaking are outlined on the speaker's slip for Oral Communications, Consent, Public Hearings and Staff Reports.

READING OF ORDINANCES AND RESOLUTIONS:

Pursuant to Solana Beach Municipal Code Section 2.04.460, at the time of introduction or adoption of an ordinance or adoption of a resolution, the same shall not be read in full unless after the reading of the title, further reading is requested by a member of the Council. If any Councilmember so requests, the ordinance or resolution shall be read in full. In the absence of such a request, this section shall constitute a waiver by the council of such reading.

CALL TO ORDER AND ROLL CALL:

FLAG SALUTE:

APPROVAL OF AGENDA:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

None at the posting of this agenda

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

1. Encinitas Half Marathon

ORAL COMMUNICATIONS:

This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today's agenda by submitting a speaker slip (located on the back table) to the City Clerk. Comments relating to items on this evening's agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items. Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each presentation is THREE MINUTES (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

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

A. CONSENT CALENDAR: (Action Items) (A.1. - A.5.)

Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion. Any member of the public may address the City Council on an item of concern by submitting to the City Clerk a speaker slip (located on the back table) before the Consent Calendar is addressed. Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Community Grant Recipient Financial Expenditure Report Fiscal Year 2016-17.
(File 0330-25)

Recommendation: That the City Council

1. Accept and file this report.

[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 February 24, 2018 - March 9, 2018.

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

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

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

Recommendation: That the City Council

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

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

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

A.4. Active Transportation Grant Application Submittal to SANDAG for the Preparation of Final (100%) Construction Drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project. (File 0820-15)

Recommendation: That the City Council

1. Adopt **Resolution 2018-026**:
 - a. Authorizing and ratifying the City Manager's decision to submit an application to SANDAG for the *TransNet* Active Transportation Grant Program (for Capital Projects) funding in the amount of \$684,500 for the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project of which \$616,050 is a request for grant funds and the remaining \$68,450 would be matching funds provided by the City.
 - b. Agreeing that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project, the City of Solana Beach commits to providing \$68,450 in matching funds.
 - c. Agreeing that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project, the City of Solana Beach authorizes the City Manager to accept the grant funds, execute the grant agreement with no exceptions in substantially the same form as attached, and complete the Project.

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

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

A.5. San Diego Association of Governments Regarding the Regional Shoreline Monitoring Program. (File 0610-12)

Recommendation: That the City Council

1. Adopt **Resolution 2018-033** authorizing the City Manager to enter into a Memorandum of Understanding with the San Diego Association of Governments regarding the Regional Shoreline Monitoring Program.

[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.

NOTE: The City Council shall not begin a new agenda item after 10:30 p.m. unless approved by a unanimous vote of all members present. (SBMC 2.04.070)

B. PUBLIC HEARINGS: (B.1. – B.4.)

This portion of the agenda provides citizens an opportunity to express their views on a specific issue as required by law after proper noticing by submitting a speaker slip (located on the back table) to the City Clerk. After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record. An applicant or designees for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each. Please be aware of the timer light on the Council Dais.

B.1. Public Hearing – Tax Exempt Fiscal Responsibility Act (TEFRA) Hearing for Conduit Financing for the Pearl Apartments Affordable Housing Project located in the 500 Block of South Sierra Avenue, Solana Beach. (File 0600-40)

Recommendation: That the City Council

1. Conduct the TEFRA Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt **Resolution 2018-034** in favor of the issuance of the bonds by the CMFA.

[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.

B.2. Public Hearing: 708 Castro Street, Applicants: Casey, Behfar, Case 17-17-12.
(File 0600-40)

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt **Resolution 2018-025** conditionally approving a DRP and an administrative SDP to construct a new second-story addition to an existing one-story, single-family residence with an attached two car garage at 708 Castro Street.

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

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

B.3. Introduction (1st Reading) Ordinance 482 Establishing a Minimum Average Workspace of per Employee Working in a Business Space. (File 0610-10)

This item has been cancelled from this agenda and will not be heard.

B.4. Approving the Housing Element Annual Progress Report and Housing Successor Annual Report for Fiscal Year 2016/17 and Directing Submittal to the California Department of Housing and Community Development and the Governor's Office of Planning and Research. (File 0630-10)

Recommendation: That the City Council

1. Conduct the Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 21065 of the State CEQA Guidelines; and
3. Adopt **Resolution 2018-024** approving the 2017 Housing Element Annual Progress Report and the 2016/17 Housing Successor Annual Report as submitted and directing City Staff to file the report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

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

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

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

Submit speaker slips to the City Clerk.

C.1. Consideration of the City Council Vacancy Created by the Resignation of Former Councilmember Mike Nichols. (File 0410-85)

Recommendation: That the City Council

1. Discuss the options outlined above in filling the vacancy and provide Staff with direction.

[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. Council Boards, Committees, & Commissions Appointments to Fill Vacancies. (File 0410-05)

This item has been cancelled from this agenda and will not be heard.

C.3. Policy Related to Gun Safety and Regulation. (File 0250-70)

Recommendation: That the City Council

1. Discuss, review, and consider **Resolution 2018-036** opposing legislation such as the Concealed Carry Reciprocity Act of 2017 and urging Federal and State representatives to enact responsible gun safety regulations.

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

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

WORK PLAN COMMENTS:

Adopted June 14, 2017

COMPENSATION & REIMBURSEMENT DISCLOSURE:

GC: Article 2.3. Compensation: 53232.3. (a) Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel. 53232.3 (d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

COUNCIL COMMITTEE REPORTS:

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

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

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

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

ADJOURN:

Next Regularly Scheduled Meeting is April 11, 2018

Always refer the City’s website Event Calendar for updated schedule or contact City Hall.

www.cityofsolanabeach.org 858-720-2425

AFFIDAVIT OF POSTING

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } §
CITY OF SOLANA BEACH }

I, Angela Ivey, City Clerk of the City of Solana Beach, do hereby certify that this Agenda for the March 28, 2018 Council Meeting was called by City Council, Successor Agency to the Redevelopment Agency, Public Financing Authority, and the Housing Authority of the City of Solana Beach, California, was provided and posted on March 21, 2018 at 5:15 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., March 28, 2018, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

Angela Ivey, City Clerk
City of Solana Beach, CA

UPCOMING CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:

Regularly Scheduled, or Special Meetings that have been announced, as of this Agenda Posting. Dates, times, locations are all subject to change. See the City's Commission's website or the City's Events Calendar for updates.

- **Budget & Finance Commission**
Thursday, April 19, 2018, 5:30 p.m. (City Hall)
- **Climate Action Commission**
Wednesday, April 18, 2018, 5:30 p.m. (City Hall)
- **Parks & Recreation Commission**
Thursday, April 12, 2018, 4:00 p.m. (Fletcher Cove Community Center)
- **Public Arts Commission**
Tuesday, April 24, 2018, 5:30 p.m. (City Hall)
- **View Assessment Commission**
Tuesday, April 17, 2018, 6:00 p.m. (Council Chambers)



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: City Manager's Office
SUBJECT: Fiscal Year (FY) 2016-17 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 2016-17, the City Council authorized \$25,000 of funding for nine (9) applicants. One additional applicant, the North Coast Repertory Theatre, was later allocated separate funding from the Public Art Reserve Account. The following applicants received funding from the program in FY 2016-17:

Fiscal Year 2016-17 Grant Recipients

1. Assistance League Rancho San Dieguito	\$3,000
2. Boys and Girls Clubs of San Dieguito	\$5,000
3. Casa de Amistad	\$5,000
4. Community Resource Center	\$5,000
5. North County Immigration & Citizenship Center	\$4,900
6. Reality Changers	\$5,000
7. Solana Beach PTA	\$5,000
8. St. James & St. Leo Medical/Dental Program	\$4,000
9. North Coast Repertory Theatre*	\$5,000

*partially funded from the Reserve Public Arts 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.

The item before the City Council is to receive and file this Staff 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" 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 14th and March 16th) at Marshalls. Fifty-nine (59) students attended with a family member and received free shoes for the school year. The amount spent at Marshalls for the shoe purchases was \$2,700 and the remaining \$300 was used spent on jackets and sweatshirts as emergency clothing for the Head Start program.

• Marshalls – Shoes:	\$ 2,700
• Marshalls – Emergency Clothing:	\$ 300
	Total - \$ 3,000

- 2. Boys and Girls Club of San Dieguito:** The Boys and Girls Club of San Dieguito (Club) requested \$5,000 for their La Colonia Summer Program. The Summer Program is offered free of charge to the underserved youth of La Colonia. The grant request was made to provide enrichment activities for children and teens for aspects of academic and socio-emotional development, as well as fun summertime activities. The goal is to give the kids in the La Colonia community a chance to have a fulfilling summer in a safe, structured environment with positive adult and peer influences. During summer 2017, grant funds provided program expenses for summer cap to 130 youth members from the Solana Beach Community.

Specifically, the grant funds were spent on the following:

Category	Description	Quantity	Price/Unit	Total Price
Field Trip	SeaWorld Aquatica:			
	Youth Admission	40	\$37.00	\$1,480.00
	Chaperone Admission	13	\$39.00	\$ 507.00
	Chaperone Meals	13	\$12.99	\$ 168.87
Field Trip	iFLY San Diego Indoor Skydiving:			
	Education 2 Flight Package	24	\$44.95	\$1,078.80
	High Flight Experience	25	\$9.95	\$ 248.75
Field Trip	Pine Valley Bible Conference:			
	Day Stay w/ Dinner	38	\$20.00	\$ 760.00
	Zip Line	2	\$60.00	\$ 120.00
	Archery	1	\$10.00	\$ 10.00
	Dirt Scooters	13	\$10.00	\$ 130.00
	Inflatable Giant Slide	1	\$50.00	\$ 50.00
	Cookie/Fruit Snack	37	\$2.00	\$ 74.00
Field Trip	Living Coast Discovery Center:			
	Docent Fee	1	\$25.00	\$ 25.00
	Adult Admission	5	\$12.00	\$ 60.00
	Child Admission	34	\$10.00	\$ 340.00
Supplies	Staples			
	HP OfficeJet	1	\$89.63	\$89.63
Total Amount Paid:				= \$5,142.05

3. Casa de Amistad: Casa de Amistad requested \$5,000 for their "Step Up STEM" initiative. The Program serves low-income families where the parents have low educational attainment and provides tutors and mentors to assist the children with achieving education and social goals. The City's Community Grant funds were used to invest in volunteer training and outreach which in turn has directly impacted students' learning and student success. During this grant cycle, student participation increased by 33% and Casa de Amistad is now serving 240 local students. Volunteer participation has increased by 42% and CASA de Amistad has the help of 200 local volunteers. Casa de Amistad goal is to create California's future leaders by better preparing students for college readiness courses and by instilling a love of learning in all students.

This year 50% of Casa de Amistad 2017 graduating seniors enrolled in colleges with a STEM major and 59% of students in high school are enrolled and are on track for meeting the University level requirements for college prep math classes.

Specifically, the grant funds were spent on the following:

- Staff Payroll: \$ 7,210.00
- Materials and Supplies: \$ 859.65
- Field Trips and Presentations \$ 877.00
- General Operating Costs \$ 1,157.00

Total: \$10,103.65

4. Community Resource Center: The Community Resource Center was awarded \$5,000 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 from the Feeding America San Diego program to 808 households. A total of 3,071 individuals were served by this program. Specifically, the \$5,000 grant awarded by the City of Solana Beach went towards the purchase of food items including frozen chicken, potatoes, onions, oranges, apples, sweet potatoes, and pears.

5. North County Immigration and Citizenship Center (NCICC): The North County Immigration and Citizenship Center (NCICC) was awarded \$4,900 for its Pathway to Citizenship Program. During this grant period, NCICC helped 20 Solana Beach residents gain citizenship, and 15-20 are currently preparing to take the exam in the next year. 100% of the students who took the exam this year passed on the first time. Since January 1, 2017, NCICC was also able to recruit and train 15 new tutors, which is three times the number from the previous year. Specifically, grant funds were spent on the following:

• Citizenship Course Instructor	\$2,000.00
• Coordination of outreach of new students and tutors	\$1,600.00
• Design and Printing of Recruitment Posters & Flyers	\$ 625.23
• Tutor Training Workshop:	\$ 310.17
• Citizenship Resource Center at the SB Library	\$ 600.00
	Total: \$5,135.40

6. Reality Changers: The Reality Changers organization was awarded \$5,000 to assist in providing low-income 8th-12th grade students from Solana Beach, seeking to become first generation college students, with scholarships to attend college. The \$5,000 paid a portion of the cost of 16 students from Solana Beach to participate in weekly programs that will help them produce the best applications for college, financial aid and scholarships possible.

7. Solana Beach PTA: The Solana Beach PTA was awarded \$5,000 for a Sun Shade Structure. The grant funds were to be used to purchase the sun shade structure for the kindergarten playground at Solana Vista Elementary School. The sun shade structure was completed in June 2017 in time for the five week summer school session at Solana Vista Elementary. The sun shade structure has provided sun protection for hundreds of children in the community, from the 90 children who use it during school hours to the children and families who utilize in during afterschool and weekend programs.

8. St. James and St. Leo's Medical/Dental Program: The St. James and St. Leo's Medical/Dental Program requested \$4,000 for their highly successful Diabetes Program. The Diabetes Program is offered to residents of the Eden Gardens area who do not have proper access to health care and provides much needed insulin. The total program costs are as follows:

- Insulin and related supplies for 13 patients: \$ 9,062.83
- Total: \$ 9,062.83**

Finally, similar to last few years, the Council requested that Staff look into funding the North Coast Repertory Theatre (NCRT) grant proposal through the Public Arts Reserve Account. For this fiscal year, the amount requested by the NCRT was \$5,000, which pushed the total amount of grant applicant requests over the \$40,000 available by \$1,900. Council requested that the Public Arts Commission (PAC) consider recommending this amount be funded through the public arts reserve account. This request was brought before the Public Arts Commission (PAC) and received unanimous support to recommend funding the request. A brief summary of the program and costs is provided below:

1. **North Coast Repertory Theatre:** The North Coast Repertory Theatre requested funding to underwrite a portion of the expenses for the Theatre School student production of Peter and the Starcatcher. For this Community Grant Program cycle, the NCRT requested \$5,000 for Peter and the Scartcatcher, a family friendly show that tackles the subject of acceptance, finding one's place in the world and growing up. More than 500 saw the Theatre School's production over a five-day period. This show featured 20 student performers, 11 of which received scholarship funding. The total program costs were as follows:

• Director:	\$ 850
• Light Designer:	\$ 150
• Sound Designer:	\$ 150
• Prop Designer:	\$ 300
• Stage Manager/AD Mentor:	\$ 750
• Assistant Director:	\$ 1,200
• Set Design – Labor:	\$ 500
• Set Materials:	\$ 18
• Costumes Materials/Rent:	\$ 546
• Painting Labor /Materials	\$ 250
• Props Materials:	\$ 458
• Actor / Mentor:	\$ 600
• Script Copies:	\$ 432
• Royalties:	\$ 1,320
• Misc. Materials:	\$ 285
• Musical Director:	\$ 600
• Accompaniment (MT Pit):	\$ 500
Total:	\$ 8,909

CEQA COMPLIANCE STATEMENT: N/A

FISCAL IMPACT:

The FY 2016-17 Adopted Budget authorized \$25,000 for the Community Grant Program (\$5,000 from Waste Management, \$5,000 from EDCO Solid Waste and Recycling and

\$15,000 from the General Fund). The funding allocated to the North Coast Repertory Theatre (\$1,900) was appropriated from the Reserve Public Arts Account to the Contribution to Agencies expenditure account in the Coastal Business/Visitors TOT fund. The SFC schools allocated \$15,000 to the Community Grant Program to complete the applicant's requests.

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 and file this report.

CITY MANAGER RECOMMENDATION:

Approve Departmental Recommendation



Gregory Wade, City Manager



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Finance
SUBJECT: Register of Demands

BACKGROUND:

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

Register of Demands- 02/24/18 through 03/09/18

Check Register-Disbursement Fund (Attachment 1)		\$	240,449.67
Council Payroll	March 8, 2018		3,750.40
Federal & State Taxes	March 8, 2018		317.42
PERS Retirement (EFT)	March 8, 2018		518.00
Net Payroll	March 9, 2018		150,357.50
Federal & State Taxes	March 9, 2018		36,394.10
PERS Retirement (EFT)	March 9, 2018		40,226.64
			<hr/>
TOTAL		\$	<u>472,013.73</u>

DISCUSSION:

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

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The register of demands for February 24, 2018 through March 9, 2018 reflects total expenditures of \$472,013.73 from various City funding sources.

WORK PLAN:

N/A

CITY COUNCIL ACTION: _____

OPTIONS:

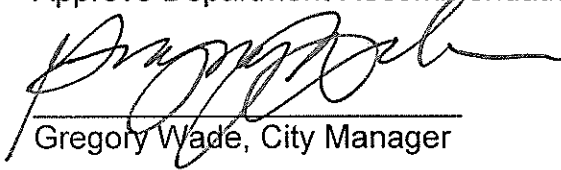
- Ratify the register of demands.
- Do not ratify and provide direction.

DEPARTMENT RECOMMENDATION:

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

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Check Register – Disbursement Fund

PENTAMATION
 DATE: 03/12/2018
 TIME: 17:14:12

CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 1
 ACCTPA21

SELECTION CRITERIA: transact.ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
 ACCOUNTING PERIOD: 9/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	92069	03/01/18	1122	APPLE ONE, INC	00150005150	TEMP HELP PE02/10	0.00	969.84
1011	92069	03/01/18	1122	APPLE ONE, INC	00150005150	TEMP HELP PE02/17	0.00	1,118.01
TOTAL CHECK							0.00	2,087.85
1011	92070	03/01/18	4832	AT&T CALNET 3	00160006120	9391012280 12/24-1/23	0.00	251.36
1011	92072	03/01/18	1914	US BANK	001	SANDAG-EDSON-2/7	0.00	411.80
1011	92072	03/01/18	1914	US BANK	00150005300	PUB FAC EXMPT ORG FEE	0.00	1.15
1011	92072	03/01/18	1914	US BANK	00160006120	WATER FOR PWC BATTERY	0.00	1.49
1011	92072	03/01/18	1914	US BANK	00150005450	HOSTING DOMAINS-JAN	0.00	9.95
1011	92072	03/01/18	1914	US BANK	00160006120	SCBA GRAPHICS	0.00	12.93
1011	92072	03/01/18	1914	US BANK	00150005200	CLOSED SESSION-1/10	0.00	14.25
1011	92072	03/01/18	1914	US BANK	00150005250	CLOSED SESSION-1/10	0.00	14.25
1011	92072	03/01/18	1914	US BANK	00150005200	LA TIMES SUB-FEB	0.00	15.96
1011	92072	03/01/18	1914	US BANK	00160006120	CHARGNG CORD-IPAD	0.00	22.08
1011	92072	03/01/18	1914	US BANK	00160006170	CABINET HINGES/BRACE	0.00	25.40
1011	92072	03/01/18	1914	US BANK	00160006170	CABINET HINGES/BRACE	0.00	27.98
1011	92072	03/01/18	1914	US BANK	00170007110	TREE LGHT-VOL BRKFST	0.00	31.48
1011	92072	03/01/18	1914	US BANK	00150005350	CREDIT CARD SHREDDER	0.00	32.31
1011	92072	03/01/18	1914	US BANK	00150005200	BUS CARDS-MOSHKI	0.00	33.24
1011	92072	03/01/18	1914	US BANK	00150005200	WALL CALENDAR	0.00	34.79
1011	92072	03/01/18	1914	US BANK	00150005200	CARDS-VARIOUS	0.00	42.15
1011	92072	03/01/18	1914	US BANK	00150005300	PUB FAC EXMPT ORG FEE	0.00	50.00
1011	92072	03/01/18	1914	US BANK	00170007110	TREE LGHT-BRANCH BOXS	0.00	52.70
1011	92072	03/01/18	1914	US BANK	00150005150	DATE STAMPER	0.00	53.86
1011	92072	03/01/18	1914	US BANK	00150005100	BUS CARDS-MARSHALL/ZI	0.00	60.07
1011	92072	03/01/18	1914	US BANK	00150005450	CONSTANT CONTACT-DEC	0.00	65.00
1011	92072	03/01/18	1914	US BANK	00165006560	FCP SWING SEAT	0.00	69.90
1011	92072	03/01/18	1914	US BANK	00160006170	EMT RECERT-SHOOK	0.00	72.10
1011	92072	03/01/18	1914	US BANK	00160006170	EMT RECERT-URUBURU	0.00	72.10
1011	92072	03/01/18	1914	US BANK	00165006570	STORAGE ORGANIZER	0.00	73.25
1011	92072	03/01/18	1914	US BANK	00160006170	DAY PLANNERS	0.00	74.32
1011	92072	03/01/18	1914	US BANK	001	PARMA-KOSZEWNIK-AIR	0.00	74.98
1011	92072	03/01/18	1914	US BANK	00150005200	FLOWERS FOR IMP BEACH	0.00	77.53
1011	92072	03/01/18	1914	US BANK	00165006530	TIMR-FLASHER ON LSF	0.00	85.34
1011	92072	03/01/18	1914	US BANK	00165006520	POOL TEST STRIPS	0.00	86.16
1011	92072	03/01/18	1914	US BANK	00160006120	BATTERIES	0.00	89.16
1011	92072	03/01/18	1914	US BANK	00160006170	HOTSCHEDULES-JAN	0.00	90.00
1011	92072	03/01/18	1914	US BANK	00150005200	NC CM BREAKFAST-1/18	0.00	90.96
1011	92072	03/01/18	1914	US BANK	001	PARMA-KOSZEWNIK-AIR	0.00	103.30
1011	92072	03/01/18	1914	US BANK	00150005100	CLOSED SESSION-1/10	0.00	105.60
1011	92072	03/01/18	1914	US BANK	00160006170	STAMP FOR LOG BOOKS	0.00	106.03
1011	92072	03/01/18	1914	US BANK	00150005150	PENS/STAPLR/PENCIL/PPR	0.00	109.36
1011	92072	03/01/18	1914	US BANK	00160006170	TONER-MS	0.00	134.45
1011	92072	03/01/18	1914	US BANK	00150005450	INDESIGN-1 YR	0.00	239.88
1011	92072	03/01/18	1914	US BANK	00160006120	RED HELMET-BARRON-1/5	0.00	240.00
1011	92072	03/01/18	1914	US BANK	00160006120	TWL/SOAP/CLNR/TRSHBGS	0.00	282.95
TOTAL CHECK							0.00	3,290.21
1011	92073	03/01/18	1561	CDW GOVERNMENT INC	00150005450	BATTERIES	0.00	81.63
1011	92074	03/01/18	1295	CITY OF DEL MAR	00150005450	IT MAINT SUPPORT-JAN	0.00	1,275.00

PENTAMATION
 DATE: 03/12/2018
 TIME: 17:14:12

CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

PAGE NUMBER: 2
 ACCTPAZ1

SELECTION CRITERIA: transact.ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
 ACCOUNTING PERIOD: 9/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	92075	03/01/18	5387 CLASSIC HOME IMPROVEMENT	001	REFND: BL#5778	0.00	17.00
1011	92076	03/01/18	127 COX COMMUNICATIONS INC	00150005450	TV BRDCAST 02/10-3/09	0.00	1,161.07
1011	92077	03/01/18	5348 DANA KETTLER	001	REFND: SBGR#306/1220 V	0.00	3,176.00
1011	92078	03/01/18	5210 COUNTY OF SAN DIEGO	00160006140	PRKNG CITE ADMIN-JAN	0.00	3,757.75
1011	92079	03/01/18	2427 ALLIANT INSURANCE SERVIC	001	Q2 SPEC EVENT INSUR	0.00	1,013.92
1011	92080	03/01/18	269 DUDEK & ASSOCIATES INC.	21355005550	1714.29/661-781 NARDO	0.00	3,097.50
1011	92081	03/01/18	3527 FAILSAFE TESTING	00160006120	T237 ANNUAL INSPECTN	0.00	650.00
1011	92082	03/01/18	5381 JONATHAN GOODMACHER	00150005400	LIVESCAN-GOODMACHER	0.00	26.00
1011	92083	03/01/18	4600 KYLE KOSZEWNIK	001	KK-PARMA 2/13-2/16	0.00	-780.87
1011	92083	03/01/18	4600 KYLE KOSZEWNIK	12050005460	KK-PARMA 2/13-2/16	0.00	1,346.20
	TOTAL CHECK					0.00	565.33
1011	92084	03/01/18	5388 LANDSCAPE AND BEYOND	001	REFND: EP#3983/640 S.	0.00	261.00
1011	92085	03/01/18	2102 LEGAL SHIELD CORP	001	PPD LEGAL-FEB 18	0.00	90.65
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	35.00
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	59.45
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	70.00
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	87.50
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	105.00
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	262.50
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	420.00
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	1,036.50
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	1,185.18
1011	92086	03/01/18	1130 MCDUGAL LOVE ECKIS SMIT	00150005250	PROF SERV PE 12/31/17	0.00	5,500.00
	TOTAL CHECK					0.00	8,761.13
1011	92087	03/01/18	4738 MEDICAL EYE SERVICES	001	VISION FEB 18	0.00	432.52
1011	92087	03/01/18	4738 MEDICAL EYE SERVICES	001	EE# -FEB 18	0.00	-60.99
1011	92087	03/01/18	4738 MEDICAL EYE SERVICES	001	EE# FEB 18	0.00	-39.82
1011	92087	03/01/18	4738 MEDICAL EYE SERVICES	001	EE# 1-FEB 18	0.00	-11.29
1011	92087	03/01/18	4738 MEDICAL EYE SERVICES	001	ROUNDING-FEB 18	0.00	-0.22
	TOTAL CHECK					0.00	320.20
1011	92088	03/01/18	2106 MIKHAIL OGAWA ENGINEERIN	00165006520	PROF SVC-JAN	0.00	195.00
1011	92088	03/01/18	2106 MIKHAIL OGAWA ENGINEERIN	00165006520	JURMP-JAN	0.00	5,823.38
	TOTAL CHECK					0.00	6,018.38
1011	92089	03/01/18	66 NORTH COUNTY DISPATCH	(J) 00160006120	FY18 DISPATCH SVC Q3	0.00	21,479.00
1011	92090	03/01/18	50 OFFICE DEPOT INC	06155005550	MOUNTING STRIPS	0.00	17.04
1011	92090	03/01/18	50 OFFICE DEPOT INC	00155005550	BLUE GEL	0.00	20.68

PENTAMATION
 DATE: 03/12/2018
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CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
 ACCOUNTING PERIOD: 9/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	92090	03/01/18	50	OFFICE DEPOT INC	00155005550	FOOT REST	0.00	42.66
TOTAL CHECK								
1011	92091	03/01/18	4775	PHILIPS HEALTHCARE	27060006120	CSA17.18CRDC MNTR SVC	0.00	351.53
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	00150005400	ROUNDING FEB 18	0.00	-0.07
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	EE# TIMING FEB 18	0.00	1.80
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	EE# TIMING FEB 18	0.00	3.30
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	EE# COBRA FEB 18	0.00	45.00
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	EE# COBRA FEB 18	0.00	45.00
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	EE# COBRA FEB 18	0.00	-80.70
1011	92092	03/01/18	1087	PREFERRED BENEFIT INS AD	001	DENTAL FEBRUARY 18	0.00	2,827.40
TOTAL CHECK								
1011	92093	03/01/18	141	SANTA FE IRRIGATION DIST	20475007520	GRP 7-12 12/16-02/15	0.00	446.18
1011	92094	03/01/18	169	SD&E CO INC	00165006570	UTILITIES 01/04-02/06	0.00	4,811.44
1011	92094	03/01/18	169	SD&E CO INC	21100007600	UTILITIES 12/31-02/06	0.00	6,605.18
1011	92094	03/01/18	169	SD&E CO INC	00165006540	UTILITIES 12/31-02/06	0.00	444.57
1011	92094	03/01/18	169	SD&E CO INC	00165006530	UTILITIES 12/31-02/06	0.00	466.95
1011	92094	03/01/18	169	SD&E CO INC	00165006540	UTILITIES 01/04-02/06	0.00	980.15
1011	92094	03/01/18	169	SD&E CO INC	00165006530	UTILITIES 01/04-02/06	0.00	1,077.04
1011	92094	03/01/18	169	SD&E CO INC	00165006570	UTILITIES 12/31-02/06	0.00	1,390.37
1011	92094	03/01/18	169	SD&E CO INC	20375007510	UTILITIES 01/04-02/06	0.00	2,174.47
TOTAL CHECK								
1011	92095	03/01/18	31	SOLANA BEACH CHAMBER OF	25055005570	Q2 VISITOR CENTER	0.00	3,750.00
1011	92096	03/01/18	4465	SUN LIFE FINANCIAL	001	FEB 18 SUPP LIFE INS	0.00	267.10
1011	92096	03/01/18	4465	SUN LIFE FINANCIAL	001	FEB 18 LIFE & ADD INS	0.00	1,004.99
1011	92096	03/01/18	4465	SUN LIFE FINANCIAL	001	FEB 18 LTD	0.00	1,274.56
TOTAL CHECK								
1011	92097	03/01/18	1458	THE UNIFORM SPECIALIST	00160006120	BOOT-MORGAN	0.00	378.86
1011	92098	03/01/18	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRNG-1717.26 DRP	0.00	182.38
1011	92099	03/02/18	4048	WELLS FARGO CORPORATE TR	67385008530	MARSOLAN BND INT 3/2	0.00	9,937.50
1011	92100	03/08/18	4711	ABEL PEREZ	00165006530	MILEAGE-02/21-2/22/18	0.00	6.54
1011	92100	03/08/18	4711	ABEL PEREZ	00165006540	MILEAGE-02/21-2/22/18	0.00	6.54
TOTAL CHECK								
1011	92101	03/08/18	4982	DARIA ZARRABI	25055005570	EGG HUNT-2 FUN JUMPS	0.00	359.00
1011	92102	03/08/18	1135	AFFORDABLE PIPELINE SERV	50900007700	C-SEWR CLEANING-41158	0.00	20,579.00
1011	92102	03/08/18	1135	AFFORDABLE PIPELINE SERV	00165006520	H-STORM DRAIN MAINT	0.00	1,140.00
TOTAL CHECK								
1011	92103	03/08/18	2137	AFLAC	001	FEBRUARY 18	0.00	947.92
1011	92104	03/08/18	174	AMERICAN PUBLIC WORKS AS	00165006510	18/19 MMBSP-BORROMEIO	0.00	110.50

SELECTION CRITERIA: transact_ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	DESCRIPTION	SALES TAX	AMOUNT
1011	92104	03/08/18	174	AMERICAN PUBLIC WORKS AS	00165006520	18/19 MMBSP--BORROMEO	0.00	110.50
TOTAL	CHECK						0.00	221.00
1011	92105	03/08/18	3553	AMERICAN QUIK PRINT	00160006120	FIRE INSPECTION FORMS	0.00	452.55
1011	92106	03/08/18	1122	APPLE ONE, INC	00150005150	TEMP HELP PE 02/24	0.00	727.38
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00160006140	AUTO FUEL 02/03-03/02	0.00	328.05
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00165006520	AUTO FUEL 02/03-03/02	0.00	335.62
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00160006170	AUTO FUEL 02/03-03/02	0.00	341.87
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00170007110	AUTO FUEL 02/03-03/02	0.00	50.49
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00165006560	AUTO FUEL 02/03-03/02	0.00	62.93
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00165006570	AUTO FUEL 02/03-03/02	0.00	104.88
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00165006510	AUTO FUEL 02/03-03/02	0.00	115.36
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	50900007700	AUTO FUEL 02/03-03/02	0.00	125.85
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00160006120	AUTO FUEL 02/03-03/02	0.00	133.61
1011	92107	03/08/18	3704	ARCO GASPRO PLUS	00165006530	AUTO FUEL 02/03-03/02	0.00	304.15
TOTAL	CHECK						0.00	1,902.81
1011	92108	03/08/18	4832	AT&T CALNET 3	00160006150	9391012275 01/24-2/23	0.00	164.29
1011	92108	03/08/18	4832	AT&T CALNET 3	00160006120	9391012280 01/24-2/23	0.00	363.64
1011	92108	03/08/18	4832	AT&T CALNET 3	50900007700	9391012277 01/24-2/23	0.00	13.04
1011	92108	03/08/18	4832	AT&T CALNET 3	00165006540	9391012279 01/24-2/23	0.00	42.66
TOTAL	CHECK						0.00	583.63
1011	92109	03/08/18	5301	LARRY BLOCK ENTERPRISES	00160006170	TIE DOWN STRAP	0.00	37.93
1011	92110	03/08/18	3258	JOSEPH CAVAIOLA	001	FCCC SEC RFND 2/24	0.00	500.00
1011	92111	03/08/18	1561	CDW GOVERNMENT INC	00150005450	DATA SWITCH	0.00	39.76
1011	92112	03/08/18	5051	CINTAS CORPORATION NO. 2	00165006570	FIRST AID SUPPLIES-CH	0.00	89.31
1011	92113	03/08/18	310	CITY OF ENCINITAS	00165006520	WATERSHED MGT FY17/18	0.00	874.25
1011	92114	03/08/18	693	CODE PUBLISHING COMPANY	00150005150	MUNI CODE FEB18-FEB19	0.00	550.00
1011	92115	03/08/18	127	COX COMMUNICATIONS INC	00150005450	CTYINTRNT 02/19-03/18	0.00	536.78
1011	92116	03/08/18	108	DEL MAR BLUE PRINT COMPA	42094386510	SKATE PARK PRINTING	0.00	289.00
1011	92117	03/08/18	848	DEPARTMENT OF CONSUMER A	00150005300	MMB CPA LCNS-02/28/19	0.00	180.00
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006570	SWITCH PLT/ELEC OUTLT	0.00	1.16
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006570	PAINT BRUSH	0.00	7.74
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006570	VENT EAWE	0.00	16.77
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006570	HAMMER	0.00	16.96
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006530	SQUEEGEE	0.00	26.82
1011	92118	03/08/18	134	DIXIELINE LUMBER CO INC	00165006570	RAZOR/PNT ROLLER/BRUS	0.00	29.20
TOTAL	CHECK						0.00	98.65
1011	92119	03/08/18	3527	FAILSAFE TESTING	00160006120	TEST GROUND LADDERS	0.00	669.10

PENTAMATION
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CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

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FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	92120	03/08/18	3706	HAWTHORNE MACHINERY CO	00160006120	REPAIRS ON 2471	0.00	3,440.21
1011	92121	03/08/18	3299	HELIX ENVIRONMENTAL	45994386510	9438.10 PROF SVC-DEC	0.00	29.77
1011	92121	03/08/18	3299	HELIX ENVIRONMENTAL	45994386510	9438.10 PROF SVC-DEC	0.00	3,534.41
	TOTAL CHECK						0.00	3,564.18
1011	92122	03/08/18	11	ICMA RETIREMENT TRUST-45 001		ICMA PD 03/09/18	0.00	8,803.78
1011	92122	03/08/18	11	ICMA RETIREMENT TRUST-45 001		ICMA PD 03/08/18	0.00	5,638.93
	TOTAL CHECK						0.00	14,442.71
1011	92123	03/08/18	3859	ICMA RETIREMENT TRUST-RH 001		ICMA PD 03/09/18	0.00	2,043.70
1011	92124	03/08/18	1075	IRON MOUNTAIN	00150005150	RECORDS STRG-MAR	0.00	567.95
1011	92125	03/08/18	5098	JOSE GARCIA	00165006530	MILEAGE-02/17/18	0.00	34.88
1011	92126	03/08/18	3755	KEYSER MARSTON ASSOCIATE	00150005200	PROF SVC-JAN	0.00	3,020.00
1011	92126	03/08/18	3755	KEYSER MARSTON ASSOCIATE	00150005200	PROF SVC-DEC	0.00	5,971.25
	TOTAL CHECK						0.00	8,991.25
1011	92127	03/08/18	323	LIEBERT CASSIDY INC	00150005250	FLSA REG RATE AUDIT	0.00	115.00
1011	92128	03/08/18	5232	LINDA M LOPEZ	25055005570	EGG HUNT-FACE PAINTER	0.00	300.00
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.81
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	21100007600	LAUNDRY-PUB WORKS	0.00	1.84
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	7.25
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	50900007700	LAUNDRY-PUB WORKS	0.00	7.33
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	8.16
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	8.16
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006520	LAUNDRY-PUB WORKS	0.00	8.24
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006560	LAUNDRY-PUB WORKS	0.00	8.25
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	14.50
1011	92129	03/08/18	111	MISSION LINEN & UNIFORM	00165006530	LAUNDRY-PUB WORKS	0.00	14.67
	TOTAL CHECK						0.00	80.21
1011	92130	03/08/18	4522	NISSHO OF CALIFORNIA	00165006530	RPR MAINLIN/CH-SIERRA	0.00	776.37
1011	92131	03/08/18	50	OFFICE DEPOT INC	00150005350	PAPER/POST IT PADS	0.00	289.04
1011	92131	03/08/18	50	OFFICE DEPOT INC	00150005350	RECEIPT BOOK/TAPE	0.00	41.62
1011	92131	03/08/18	50	OFFICE DEPOT INC	00150005300	FILE FOLDERS	0.00	45.24
1011	92131	03/08/18	50	OFFICE DEPOT INC	00150005300	SCISSORS	0.00	7.10
1011	92131	03/08/18	50	OFFICE DEPOT INC	00150005350	POST IT PADS	0.00	10.55
	TOTAL CHECK						0.00	393.55
1011	92132	03/08/18	54	1 STOP TONER & INKJET, L	00155005550	COLOR TONER-PLANNING	0.00	732.65
1011	92133	03/08/18	379	PALOMAR COLLEGE DISTRICT	00160006120	SPRNG 18 FIRE98#31187	0.00	1,456.00
1011	92133	03/08/18	379	PALOMAR COLLEGE DISTRICT	00160006120	SPRNG 18 FIRE98#31187	0.00	896.00
	TOTAL CHECK						0.00	2,352.00

PENTAMATION
 DATE: 03/12/2018
 TIME: 17:14:12

CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
 ACCOUNTING PERIOD: 9/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.02/960 AVOCADO	0.00	375.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.19/982 AVOCADO	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1715.27/707 N RIOS	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.15/201 LOMAS SAN	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.27/235-245 PACIFI	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.47/127-129 N GRA	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1716.27/360 N GRANADO	0.00	250.00
1011	92134	03/08/18	4797	PAMELA ELLIOTT LANDSCAPE	21355005550	1717.37/607 N CEDROS	0.00	250.00
TOTAL	CHECK						0.00	2,125.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-FCC	0.00	30.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-MS	0.00	30.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-LC	0.00	30.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-PW	0.00	30.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-FD	0.00	35.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	PEST CONTROL-FEB-CH	0.00	45.00
1011	92135	03/08/18	5361	HABITAT PROTECTION, INC	00165006570	AS NEED PST CNTL-FEB	0.00	25.00
TOTAL	CHECK						0.00	225.00
1011	92136	03/08/18	113	PITNEY BOWES GLOBAL FINA	00150005150	CITY WIDE POSTAGE	0.00	1,500.00
1011	92137	03/08/18	3554	QUICK CRETE PRODUCTS COR	00165006560	CONCRETE PICNIC TABLE	0.00	1,652.89
1011	92138	03/08/18	1112	RANCHO SANTA FE SECURITY	00165006560	RESTRM LCK/UNLOCK-FEB	0.00	515.00
1011	92138	03/08/18	1112	RANCHO SANTA FE SECURITY	00165006560	ALARM MONITORING-FEB	0.00	174.50
TOTAL	CHECK						0.00	689.50
1011	92139	03/08/18	1040	REVENUE & COST SPECIALIS	00150005300	COST&FEE STDY-PE02/21	0.00	6,237.50
1011	92140	03/08/18	1954	RYDIN DECAL	00160006140	2018 TAXI PERMITS	0.00	386.82
1011	92141	03/08/18	230	SHURLOCK FENCE COMPANY	00165006560	REPAIR CHAIN FENCE-LC	0.00	325.00
1011	92142	03/08/18	13	SOLANA BEACH FIREFIGHTER	001	FD DUES 03/09/18	0.00	823.50
1011	92143	03/08/18	1231	STAPLES CONTRACT & COMME	00165006510	EXPND FOLDER/SANITIZE	0.00	28.08
1011	92144	03/08/18	4840	STC TRAFFIC, INC	00165006540	ONCALL TRFFC-JAN	0.00	6,127.50
1011	92145	03/08/18	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1714.29/SOL HCHLD-FEB	0.00	1,980.00
1011	92145	03/08/18	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1714.20/959 GENEVIEVE	0.00	1,000.00
1011	92145	03/08/18	3066	SUMMIT ENVIRONMENTAL GRO	45999036190	9903 PROF SVC LCP-FEB	0.00	1,760.00
1011	92145	03/08/18	3066	SUMMIT ENVIRONMENTAL GRO	00155005550	PROF SVC FEB	0.00	330.00
1011	92145	03/08/18	3066	SUMMIT ENVIRONMENTAL GRO	21355005550	1717.27/235-245 PACIFI	0.00	1,125.00
TOTAL	CHECK						0.00	6,195.00
1011	92146	03/08/18	4534	TRAFFIC SUPPLY, INC	00165006540	RED TRAFFIC PAINT	0.00	278.09
1011	92147	03/08/18	3980	TURNOUT MAINTENANCE COMP	00160006120	TRNOUT MNT-PHILLIPS/M	0.00	334.50
1011	92148	03/08/18	1458	THE UNIFORM SPECIALIST	00160006120	TURNOUT-HOGAN	0.00	952.54

PENTAMATION
 DATE: 03/12/2018
 TIME: 17:14:12

PAGE NUMBER: 7
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CITY OF SOLANA BEACH, CA
 CHECK REGISTER - DISBURSEMENT FUND

SELECTION CRITERIA: transact.ck_date between '20180224 00:00:00.000' and '20180309 00:00:00.000'
 ACCOUNTING PERIOD: 9/18

FUND - 001 - GENERAL FUND

CASH ACCT	CHECK NO	ISSUE DT	VENDOR	NAME	BUDGET UNIT	-----DESCRIPTION-----	SALES TAX	AMOUNT
1011	92149	03/08/18	12	UNITED WAY OF SAN DIEGO	001	UNITED WY PD 03/09/18	0.00	40.00
1011	92150	03/08/18	4517	URSHEL HOLDINGS LP	001	RFND SBGR-327/309 SOL	0.00	11,235.37
1011	92151	03/08/18	2097	UT SAN DIEGO - NRTH COUN	42094386510	9438.01 BID #2018-01	0.00	601.24
1011	92151	03/08/18	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRNG-1717.28 DRP	0.00	175.31
1011	92151	03/08/18	2097	UT SAN DIEGO - NRTH COUN	00155005550	PUB HRNG 1717.38 DRP	0.00	213.03
				TOTAL CHECK			0.00	989.58
1011	92152	03/08/18	3242	VAN DYKE LANDSCAPE ARCHI	45994386510	9438.10-SKT PRK DSGN	0.00	31,826.10
1011	92153	03/08/18	3723	WAGEWORKS	00150005400	FSA ADMIN-FEB	0.00	107.75
				TOTAL CASH ACCOUNT			0.00	236,531.89
1012	104518	02/28/18	3507	DANIEL J BRESSLER, MD	12550005465	CLAIM#17660142	0.00	3,665.17
1012	104519	02/28/18	4903	SIEGEL, MORENO & STETTLER	12550005465	CLAIM#15589038	0.00	175.50
1012	104520	02/28/18	4863	TMSYS INC	12550005465	CLAIM#12474263	0.00	62.11
1012	104521	02/28/18	2156	TRISTAR RISK MANAGEMENT	12550005465	BILL REVIEW	0.00	15.00
				TOTAL CASH ACCOUNT			0.00	3,917.78
				TOTAL FUND			0.00	240,449.67
				TOTAL REPORT			0.00	240,449.67



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Finance
SUBJECT: Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2017-2018

BACKGROUND:

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

The information provided in this Staff Report lists the changes made through March 14, 2018.

DISCUSSION:

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

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES As of March 14, 2018					
Action	Description	Revenues	Expenditures	Transfers from GF	Net Surplus
Reso 2017-195	Adopted Budget	17,611,600	(16,932,700)	(372,400) (1)	\$ 306,500
Reso 2017-122	Marine Safety MOU	-	(11,340)	-	295,160
Reso 2017-123	Salary and Comp Plan	-	(75,500)	-	219,660
Reso 2017-126	Miscellaneous MOU	-	(53,600)	-	166,060
Reso 2018-015	Mid-Year Budget Adjustments	206,800	(205,400)	-	167,460
Reso 2018-018	FY18 Seasonal/Temporary Salary Schedule	-	(13,650)	-	153,810
(1)	Transfers to:				
	Debt Service for Public Facilities		152,400		
	City CIP Fund		220,000	372,400	

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

COUNCIL ACTION:

FISCAL IMPACT:

N/A

WORK PLAN:

N/A

OPTIONS:

- Receive the report.
- Do not accept the report

DEPARTMENT RECOMMENDATION:

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

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Engineering Department
SUBJECT: **Consideration of Resolution No. 2018-026: Ratification of the Submittal of an Active Transportation Grant Application to SANDAG for the Preparation of Final (100%) Construction Drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project**

BACKGROUND:

Utilizing the TransNet Extension Ordinance, the San Diego Association of Government (SANDAG) has sent a call for projects to distribute grants that total \$3.6 million of TransNet and Transportation Development Act (TDA) funding for Active Transportation Grant Program (ATGP) projects to local jurisdictions and the County of San Diego from Fiscal Years 2017-2019. The purpose of this grant funding is to support local efforts to increase walking, biking, and transit usage. This grant program is available to the 19 agencies (county of San Diego and 18 cities) in our region. Although a local agency can partner with a non-profit or other special district, it must be the local agency that applies for the grant.

This item is before the City Council for the consideration of Resolution 2018-026 (Attachment 1) which would ratify the City Manager's decision to submit an application to SANDAG for the preparation of final (100%) construction drawings of the Lomas Santa Fe Corridor Active Transportation Improvement Project, commit the City to providing \$68,450 in matching funds and authorizing the City Manager execute a grant agreement with SANDAG if the grant is approved.

DISCUSSION:

The goal of the ATGP is to encourage local jurisdictions to plan and build facilities that promote multiple travel choices for residents and connectivity to transit, schools, retail

COUNCIL ACTION:

centers, parks, work, and other community gathering places. The grant program also encourages local jurisdictions to provide bicycle parking, education, encouragement, and awareness programs that support pedestrian and bicycle infrastructure.

The City's effort in transforming Lomas Santa Fe corridor into a more user friendly multimodal transportation facility falls well within the purpose and intent of this grant process. The first phase of the Lomas Santa Fe Corridor Improvement Project (Project) started in November 2016 and was intended to provide an assessment of the existing conditions which consisted of base mapping, data collection, identification of deficiencies and identification of proposed solutions to the deficiencies. As part of the data collection, the City and STC Traffic, Inc. (STC) held a day-long walk audit of the entire corridor to solicit feedback from the community. Other efforts to collect feedback from the community included an open house that showed examples of possible solutions to issues brought up during the walk audit and creation of an on-line surveys/feedback forum to continue receiving comments from the community.

The first stage of the Project identified existing deficiencies along the Lomas Santa Fe corridor. This was accomplished through several steps which began with an Engineering Field Walk at which the project team (City Staff and the consultant team of civil engineers, traffic engineers and landscape architects) walked the entire corridor to better visualize the problem areas, identify physical constraints, and to prepare for the upcoming Community Walk Audit. Key issues identified during the Engineering Field Walk included narrow sidewalks, missing ADA curb ramps, deteriorating pavement and wide traffic lanes/medians which can encourage higher traffic speeds.

In September 2017, the City Council approved a Professional Services Agreement with STC for the preparation of the second phase of the Project. The second phase will include the preparation of conceptual design and construction cost estimates for any proposed improvements along the Lomas Santa Fe corridor.

The Project is a viable candidate for this grant application and the City is recommending that the City Council ratify the City Manager's decision to submit a grant application to SANDAG for this project for the proposed grant funding program. Providing matching funds is not a requirement of this application, but if offered as a component of the total funding for the project, the application will receive additional scoring points. Staff has included \$68,450 from the City's TransNet funding as matching funds for the preparation of final (100%) construction drawings for the Project. The overall project is anticipated to cost approximately \$684,500.

If the City is successful in obtaining this ATGP funding, the City would be required to sign and return the Standardized Grant Agreement to SANDAG, without exceptions, within 45 days of receipt of the agreement. As required by SANDAG, a copy of the agreement is attached, as Exhibit A, to Resolution 2018-026 (Attachment 1).

CEQA COMPLIANCE STATEMENT:

The submittal of the grant application is not a project as defined by CEQA. As the project moves forward, an appropriate environmental document would be prepared as part of the actions associated with the grant.

FISCAL IMPACT:

The preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Improvement Project is estimated to be \$684,500. The City's application for this Grant funding is prepared with a request for \$616,000. The matching funds for this project would be \$68,500 from the City's TransNet funding.

WORK PLAN:

The Project is identified as Item B.6 in the Capital Projects subsection of the Community Character Priorities section of the 2017/2018 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 2018-026:

1. Authorizing and ratifying the City Manager's decision to submit an application to SANDAG for the *TransNet* Active Transportation Grant Program (for Capital Projects) funding in the amount of \$684,500 for the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project of which \$616,050 is a request for grant funds and the remaining \$68,450 would be matching funds provided by the City.
2. Agreeing that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project, the City of Solana Beach commits to providing \$68,450 in matching funds.
3. Agreeing that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe

Corridor Active Transportation Improvement Project, the City of Solana Beach authorizes the City Manager to accept the grant funds, execute the grant agreement with no exceptions in substantially the same form as attached, and complete the Project.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Resolution No. 2018-026

RESOLUTION NO. 2018-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, RATIFICATION OF THE FILED APPLICATION FOR TRANSNET FUNDS FROM SAN DIEGO ASSOCIATION OF GOVERNMENTS FOR FINAL (100%) CONSTRUCTION DRAWINGS FOR STREET IMPROVEMENTS ALONG LOMAS SANTA FE DRIVE AND ACCEPTING THE TERMS OF THE GRANT AGREEMENT

WHEREAS, \$27 million of TransNet funding for Smart Growth Incentive Program (SGIP) projects is available to local jurisdictions and the County of San Diego from Fiscal Years 2017-2019, and up to \$1 million of the SGIP funding is available for the preparation of Climate Action Plans (CAPs) and Complete Streets (CS) Policies; and

WHEREAS, \$3.6 million of TransNet and Transportation Development Act (TDA) funding for Active Transportation Grant Program (ATGP) projects is available to local jurisdictions and the County of San Diego from Fiscal Years 2017-2019; and

WHEREAS, the City of Solana Beach wishes to receive grant funding from the San Diego Association of Governments (SANDAG); and

WHEREAS, the City of Solana Beach Jurisdiction understands that in order to be eligible to receive grant funds for SGIP and ATGP projects, jurisdictions must have an adopted CAP and CS Policy (or the equivalent) in place before grant funds will be disbursed; and

WHEREAS, the City of Solana Beach certifies that it adopted a Climate Action Plan (CAP) in a public meeting on July 12, 2017 that includes measures to reduce greenhouse gas (GHG) emissions to 1990 levels by 2020 and achieves further reductions beyond 2020 consistent with adopted regional or local GHG emissions reduction targets; and

WHEREAS, the City of Solana Beach certifies that it adopted a Complete Streets (CS) Policy or the equivalent, such as the policies in the General Plan and Circulation Element documents adopted by the City in a public meeting on November 19, 2014 that are consistent with the California Complete Streets Act.

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 City Council authorizes and ratifies the City Manager's decision to submit an application to SANDAG for the following project:

Grant Program	Project Name	Total Project Cost (Grant Request + Matching Funds)	Grant Request	Matching Funds
ATGP-Capital	Lomas Santa Fe Corridor Active Transportation Improvement Project – Preliminary (50%) Construction Drawings	\$684,500	\$684,500	\$68,450

3. That the City Council agrees that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project, the City of Solana Beach commits to providing \$68,450 in matching funds.

4. That the City Council agrees that if a grant award is made by SANDAG to fund the preparation of final (100%) construction drawings for the Lomas Santa Fe Corridor Active Transportation Improvement Project, the City of Solana Beach authorizes the City Manager to accept the grant funds, execute the grant agreement (Exhibit A) with no exceptions in substantially the same form as attached, and complete the Project.

PASSED AND ADOPTED this 28th day of March, 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following:

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

 GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

 JOHANNA N. CANLAS, City Attorney

 ANGELA IVEY, City Clerk

EXHIBIT A

GRANT AGREEMENT TEMPLATE *for Information Only*

SELECT APPLICABLE PROGRAM:

***TransNet* SMART GROWTH INCENTIVE PROGRAM – CAPITAL / PLANNING
OR *TransNet* SMART GROWTH INCENTIVE PROGRAM – CLIMATE ACTION PLAN
OR *TransNet* SMART GROWTH INCENTIVE PROGRAM – COMPLETE STREETS POLICY
OR *TransNet* ACTIVE TRANSPORTATION GRANT PROGRAM – CAPITAL / NON-CAPITAL**

FOURTH FUNDING CYCLE

**GRANT AGREEMENT AGREEMENT NUMBER BETWEEN
THE SAN DIEGO ASSOCIATION OF GOVERNMENTS AND
INSERT JURISDICTION NAME
REGARDING INSERT FULL PROJECT TITLE**

THIS GRANT AGREEMENT Agreement Number (Agreement) is made this Day day of Month, 2018, by and between the San Diego Association of Governments, 401 B Street, Suite 800, San Diego, California, hereinafter referred to as SANDAG, and the Grant Recipient and Address, hereinafter referred to as Grantee. SANDAG and Grantee are hereinafter collectively referred to as the Parties. This agreement expires on Month Day, Year.

Note to Grant Recipient: This Agreement Template covers provisions for the Smart Growth Incentive Program (SGIP) – Capital and Planning; SGIP – Climate Action Plan (CAP); SGIP – Complete Streets Policy; and Active Transportation Grant Program (ATGP) – Capital and Non-Capital grant programs. Prior to contract execution, the Grant Agreement will be tailored to reflect the applicable grant program.

The following recitals are a substantive part of this Agreement:

Smart Growth Incentive Program, SGIP-Climate Action Plan Grant Program, and SGIP-Complete Streets Policy Grant Program Recitals:

- A.** The SANDAG Board of Directors allocates funds under the *TransNet* local sales tax program to support local transportation-related infrastructure projects in the San Diego region through a competitive process.
- B.** The *TransNet* Extension Ordinance contains provisions to fund the Smart Growth Incentive Program (SGIP) for which funding began on April 1, 2008. The SGIP encompasses projects that better integrate transportation and land use and recognizes the comprehensive effort to integrate smart growth place making, access to transit, and environmental justice.
- C.** In January 2010, the SANDAG Board of Directors approved Board Policy No. 035: Competitive Grant Program Procedures, which is included as Attachment B. This Grant Award, Agreement and the Grantee's performance thereunder are subject to Board Policy No. 35, which includes multiple "use it or lose it" provisions.
- D.** On December 15, 2017, SANDAG issued a call for projects from local jurisdictions in San Diego County wishing to apply for a portion of the *TransNet* SGIP funds for use on capital improvement and planning projects meeting certain criteria, and authorizing up to \$1 million

from the SGIP to be used for the development of climate action plans and complete streets policies through two new subprograms.

- E.** On Month, Day, Year, the SANDAG Board of Directors approved a list of recommended SGIP, SGIP-Climate Action Plan, or SGIP-Complete Streets projects for the fourth competitive grant cycle, and one of those projects is the subject of this Agreement. The Scope of Work, Project Schedule, and Approved Project Budget are included as Attachment A.
- F.** Grantee's Project is funded with dollar amount in *TransNet* SGIP funds and is included in the Regional Transportation Improvement Plan (RTIP). The *TransNet* MPO ID for the Project is ID number.
- G.** The purpose of this Agreement is to establish the terms and conditions for SANDAG to provide Grantee with funding to implement the Project.
- H.** Although SANDAG will be providing financial assistance to Grantee to support the Project, SANDAG will not take an active role or retain substantial control of the Project. Therefore, this Agreement is characterized as a funding agreement rather than a cooperative agreement.
- I.** Grantee understands that *TransNet* funds derive from retail transactions and use tax revenues which fluctuate. The SANDAG funding commitment to SGIP Projects, including this Project, is subject to these fluctuations, which may impact funding availability for this Project.

Active Transportation Grant Program Recitals:

- A.** The SANDAG Board of Directors allocates funds under the *TransNet* local sales tax program and the Transportation Development Act (TDA) to support local bicycle and pedestrian transportation projects in the San Diego region through a competitive process.
- B.** The *TransNet* Extension Ordinance contains provisions to fund the Bicycle, Pedestrian, and Neighborhood Safety Program (BPNSP) for which funding began on July 1, 2008. The BPNSP encompasses bicycle and pedestrian travel projects and recognizes the comprehensive effort to integrate smart growth place making, access to transit and environmental justice.
- C.** Article 3 of the TDA provides funding for Bicycle and Pedestrian Facilities and Programs.
- D.** Together the *TransNet* BPNSP and TDA Article 3 funding are commonly referred to as the SANDAG *TransNet* Active Transportation Grant Program (ATGP).
- E.** In January 2010, the SANDAG Board of Directors approved Board Policy No. 035: Competitive Grant Program Procedures, which is included as Attachment B. This Grant Award, Agreement and the Grantee's performance thereunder are subject to Board Policy No. 035, which includes multiple "use it or lose it" provisions.
- F.** On December 15, 2017, SANDAG issued a call for projects from local jurisdictions in San Diego County wishing to apply for SANDAG ATGP funds for use on capital improvement and planning projects meeting certain criteria.
- G.** On Month, Day, Year, the SANDAG Board of Directors approved a list of recommended ATGP projects for the fourth competitive grant cycle, and one of those projects is the subject of this

Agreement. The Scope of Work, Project Schedule, and Approved Project Budget are included as Attachment A.

- H. The SANDAG Board of Directors approved programming of approximately \$3.6 million in TDA funds on Month, Day, Year, by Resolution Number Resolution Number.
- I. Grantee's Project is funded with dollar amount in ATGP funds, which includes dollar amount in *TransNet* BPNSP funds and is included in the Regional Transportation Improvement Plan (RTIP), and dollar amount in TDA funds. The *TransNet* MPO ID for the Project is ID number and the TDA Claim Number is ID number.
- J. The purpose of this Agreement is to establish the terms and conditions for SANDAG to provide Grantee with funding to implement the Project.
- K. Although SANDAG will be providing financial assistance to Grantee to support the Project, SANDAG will not take an active role or retain substantial control of the Project. Therefore, this Agreement is characterized as a funding agreement rather than a cooperative agreement.
- L. Grantee understands that *TransNet* funds derive from retail transactions and use tax revenues which fluctuate. SANDAG's funding commitment to ATGP Projects, including this Project, is subject to these fluctuations, which may impact funding availability for this Project.

I. GRANT AWARD

- A. The total amount payable to Grantee pursuant to this Agreement by SANDAG shall be the proportion of actual Project costs allocated to grant funding in the Approved Project Budget and shall not exceed the grant award of dollar amount.
- B. It is agreed and understood that this Agreement fund limit is a ceiling and that SANDAG will only reimburse the allowable cost of services actually rendered as authorized by SANDAG at or below that fund limitation established herein.

II. APPROVED PROJECT BUDGET

Except to the extent that SANDAG determines otherwise in writing, the Grantee agrees as follows: The Grantee and SANDAG have agreed to a Project budget that is designated the "Approved Project Budget." The Grantee and/or third-party contractor(s) will incur obligations and make disbursements of Project funds only as authorized by the Approved Project Budget. An amendment to the Approved Project Budget requires the issuance of a formal amendment to the Agreement per Board Policy No. 035, unless the re-allocation of funds among budget items or fiscal years does not increase the total amount of the funding awarded for the Project, does not negatively impact the benefits obtained from the Project, and is consistent with applicable laws, regulations, and policies. Prior written SANDAG Project Manager approval is required for transfers of funds between approved project budget line items.

III. MATCHING FUNDS

Grantee agrees to provide matching funds in an amount of dollar amount percent of the actual cost of the Project, estimated to be dollar amount based on the Approved Project Budget. If the actual cost of the Project exceeds the Project budget, Grantee is responsible for 100 percent of the actual cost greater than the budgeted cost.

A. Availability of Grant Funding

Except where expressly allowed in writing herein, reimbursement of credits for local matching funds will be made or allowed only for work performed on and after the Notice to Proceed date and prior to the termination date of this Agreement, unless expressly permitted by SANDAG, in writing.

B. Reduction of Matching Funds

The Grantee agrees that no refund of, or reduction in, the amount of matching funds may be made unless a reduction of the proportional share of the grant funding provided under this Agreement also is made to SANDAG.

C. Prompt Payment of Matching Funds

The Grantee agrees to complete all proceedings necessary to provide its share of the Project costs at or before the time the matching funds are needed for Project costs. The Grantee agrees to provide not less than its required match amount of Project costs on a proportional basis as Project costs are incurred and coinciding with usual invoicing. Each of Grantee's invoices must include its proportional matching fund contribution, along with supporting, descriptive and/or explanatory documentation for the matching funds provided such that the Grantee maintains a cumulative match percentage no less than the required match percentage as specified above.

IV. PROJECT MANAGERS

Grantee's Project Manager is ~~Project Manager~~.

The SANDAG Project Manager is Tracy Ferchaw.

Project manager continuity and experience is deemed essential in Grantee's ability to carry out the project in accordance with the terms of this Agreement. Grantee shall not change the project manager without first providing written notice to SANDAG.

V. NOTICE

All notices required to be given, by either party to the other, shall be deemed fully given when made in writing and received by the parties at their respective addresses:

San Diego Association of Governments
Attention: Tracy Ferchaw
401 B Street, Suite 800
San Diego, CA 92101

Grantee:
~~Jurisdiction Name~~
Attention: ~~Project Manager~~
~~Address~~
~~City, CA, ZIP~~

VI. PROJECT IMPLEMENTATION

A. General

The Grantee agrees to carry out the Project as follows:

1. **Project Description.** Grantee agrees to perform the work as described in the Scope of Work included as Attachment A.
2. **Effective Date.** The effective date of this Agreement or any amendment hereto is the date on which this Agreement or an amendment is fully executed. The Grantee agrees to undertake Project work promptly after receiving a Notice to Proceed from SANDAG.
3. **Grantee's Capacity.** The Grantee agrees to maintain or acquire sufficient legal, financial, technical, and managerial capacity to: (a) plan, manage, and complete the Project as described in Attachment A and provide for the use of any Project property; (b) carry out the safety and security aspects of the Project; and (c) comply with the terms of the Agreement and all applicable laws, regulations, and policies pertaining to the Project and the Grantee, including but not limited to the *TransNet* Extension Ordinance and Board Policy No. 035.
4. **Project Schedule.** The Grantee agrees to complete the Project according to the Project Schedule included in Attachment A and in compliance with Board Policy No. 035, as amended, and included as Attachment B.
5. **Project Implementation and Oversight.** Grantee agrees to comply with the Project Implementation and Oversight Requirements, included as Attachment C, and Board Policy No. 035, as amended.
6. **Changes to Project's Scope of Work.** This Agreement was awarded to Grantee based on the application submitted by Grantee with the intention that the awarded funds would be used to implement the Project as described in the Scope of Work (included in Attachment A). Any substantive deviation from Grantee's Scope of Work during project implementation may require reevaluation or result in loss of funding. If Grantee knows or should have known that substantive changes to the Project will occur or have occurred, Grantee will immediately notify SANDAG in writing. SANDAG will then determine whether the Project is still consistent with the overall objectives of the grant program and whether the changes would have negatively affected the Project ranking during the competitive grant evaluation process. SANDAG reserves the right to have grant funding withheld from Grantee, or refunded to SANDAG, due to Grantee's failure to satisfactorily complete the Project or due to substantive changes to the Project.
7. **Media and Community Outreach Coordination.** The Grantee agrees to notify and/or assist SANDAG of/with any media and community outreach efforts, including presentations to community groups, other agencies, and elected officials and/or community events related to the Project, such as ground breaking and ribbon cutting activities. Press materials shall be provided to SANDAG staff for review before they are distributed. SANDAG logo(s) should be included in press materials and other project collateral based on SANDAG logo usage guidelines provided by SANDAG, but may never be included in such documents without advance approval from SANDAG.

As part of the quarterly reports submitted to SANDAG, the Grantee agrees to provide project milestone information to support media outreach and communications efforts. This includes project photos taken throughout the project at program events or as part of project tasks. The photos should be high resolution (at least 4 inches by 6 inches with a minimum of 300 pixels per inch) and contain captions with project descriptions, dates, locations, and the names of those featured, if appropriate. SANDAG reserves the right to use the information provided by the Grantee for any combination of the following, including but not limited to: social media posts, online photo albums, videos, press releases, PowerPoint presentations, web updates, newsletters, and testimonials. In submitting photos to SANDAG, the Grantee agrees that the photos have been obtained with the consent of all persons featured in the photo (or that of a parent or guardian of persons under the age of 18) using the SANDAG Photo and Testimonial Release form to be provided by SANDAG, or a similar release form developed by Grantee and agreed upon by SANDAG, and to release the rights of the photos to SANDAG for its use.

8. Project Signage and Designation of *TransNet* Funded Facilities. Each capital project of \$250,000 or more funded in whole or in part by revenues from the *TransNet* Extension Ordinance shall be clearly designated during its construction or implementation as being provided by revenues from the *TransNet* Extension Ordinance.

Grantee agrees to follow the project signage specifications and to install appropriately sized signs in the quantity called for by the *TransNet* Signage Guide (provided by SANDAG). Grantee agrees to follow sign specifications and submit proof files to SANDAG for approval before production.

9. Baseline Data Collection. For capital projects, Grantee is required to coordinate with SANDAG staff on the development of a baseline data collection plan in accordance with the Project Implementation and Oversight Requirements.

B. Application of Laws

Should a federal or state law pre-empt a local law, regulation, or the *TransNet* Extension Ordinance, the Grantee must comply with the federal or state law and implementing regulations. No provision of this Agreement requires the Grantee to observe or enforce compliance with any provision, perform any other act, or do any other task in contravention of federal, state, territorial, or local law, regulation, or ordinance. If compliance with any provision of this Agreement violates or would require the Grantee to violate any law, the Grantee agrees to notify SANDAG immediately in writing. Should this occur, SANDAG and the Grantee agree that they will make appropriate arrangements to proceed with or, if necessary, terminate the Project or affected portions thereof expeditiously.

C. Changes in Project Performance

The Grantee agrees to notify SANDAG immediately, in writing, of any change in local law, conditions (including its legal, financial, or technical capacity), or any other event that may adversely affect the Grantee's ability to perform the Project in accordance with the terms of the Agreement and as required by Board Policy No. 035. The Grantee also agrees to notify SANDAG immediately, in writing, of any current or prospective major dispute, breach, default, or litigation that may adversely affect SANDAG's interests in the Project; and agrees to inform

SANDAG, also in writing, before naming SANDAG as a party to litigation for any reason, in any forum. At a minimum, the Grantee agrees to send each notice to SANDAG required by this subsection to SANDAG's Office of General Counsel.

D. Notice Regarding Prevailing Wages

This Project is funded in whole or in part by *TransNet* revenues consistent with the *TransNet* Extension Ordinance adopted by the voters in November 2004 (SANDAG Ordinance 04-01). Although SANDAG Ordinance 04-01 does not require payment of prevailing wages, California law may require that Grantee's public works projects pay prevailing wages for workers. Grantee acknowledges that SANDAG has strongly encouraged Grantee to seek legal counsel regarding whether the Project will be subject to prevailing wage laws consistent with Labor Code Section 1720, *et seq.* This Agreement requires Grantee's compliance with all federal, state, and local laws and ordinances as applicable.

E. Standard of Care

Grantee expressly warrants that the work to be performed pursuant to this Agreement shall be performed in accordance with the applicable standard of care. Where approval by SANDAG, its Executive Director, or other representative of SANDAG is indicated in the Scope of Work, it is understood to be conceptual approval only and does not relieve the Grantee of responsibility for complying with all laws, codes, industry standards, and liability for damages caused by negligent acts, errors, omissions, noncompliance with industry standards, or the willful misconduct of the Grantee or its subgrantees.

F. Third-Party Contracting

Although the Grantee may delegate any or almost all Project responsibilities to one or more third-party contractors, the Grantee agrees that it, rather than any third-party contractor, is ultimately responsible for compliance with all applicable laws, regulations, and this Agreement.

1. **Competitive Procurement.** Grantee shall not award contracts over \$3,000 on the basis of a noncompetitive procurement for work to be performed under this Agreement without the prior written approval of SANDAG. Contracts awarded by Grantee, if intended as local match credit, must meet the requirements set forth in this Agreement regarding local match funds.

If Grantee hires a third-party contractor to carry out work funded under this Agreement, Grantee shall: prepare an Independent Cost Estimate prior to soliciting proposals/bids; publicly advertise for competing proposals/bids for the work; for professional services, use cost as an evaluation factor in selecting the third-party contractor and for construction services, award the work to the lowest responsive and responsible bidder; document a Record of Negotiation establishing that the amount paid by Grantee for the work is fair and reasonable; and pass through the relevant obligations in this Agreement to the contractor.

2. **Debarment.** Grantee shall execute and cause their third-party contractors to execute debarment and suspension certificates stating they have not been disqualified from doing business with government entities.

3. Flowdown. Grantee agrees to take appropriate measures necessary, including the execution of a subagreement, lease, third-party contract, or other, to ensure that all Project participants, including alternate payees or third-party contractors at any tier, comply with all applicable federal laws, regulations, policies affecting Project implementation and Agreement requirements. In addition, if an entity other than the Grantee is expected to fulfill any responsibilities typically performed by the Grantee, the Grantee agrees to assure that the entity carries out the Grantee's responsibilities as set forth in this Agreement.
4. No SANDAG Obligations to Third-Parties. In connection with the Project, the Grantee agrees that SANDAG shall not be subject to any obligations or liabilities to any subgrantee, lessee, third-party contractor at any tier or other person or entity that is not a party to the Agreement for the Project. Notwithstanding that SANDAG may have concurred in or approved any solicitation, subagreement, lease, alternate payee designation, or third-party contract at any tier, SANDAG has no obligations or liabilities to any entity other than the Grantee.
5. Equipment Purchases. Grantee shall maintain ownership of any equipment purchased using Agreement funding and shall use such the equipment only for the purposes set forth in this Agreement. The parties agree to meet and confer in good faith to ensure the continued use of the equipment for the purposes intended, which may include reimbursement to SANDAG when the fair market value of the equipment at Project completion exceeds \$5,000.

SANDAG and Grantee agree that Grantee shall keep an inventory record for each piece of equipment purchased under this Agreement and maintain each piece of equipment in good operating order consistent with the purposes for which they were intended. SANDAG shall have the right to conduct periodic maintenance inspections for the purpose of confirming the existence, condition, and proper maintenance of the equipment.

VII. ETHICS

A. Grantee Code of Conduct/Standards of Conduct

The Grantee agrees to maintain a written code of conduct or standards of conduct that shall govern the actions of its officers, employees, council or board members, or agents engaged in the award or administration of subagreements, leases, or third-party contracts supported with grant funding. The Grantee agrees that its code of conduct or standards of conduct shall specify that its officers, employees, council or board members, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from any present or potential subgrantee, lessee, or third-party contractor at any tier or agent thereof. The Grantee may set *de minimis* rules where the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value. The Grantee agrees that its code of conduct or standards of conduct shall also prohibit its officers, employees, board members, or agents from using their respective positions in a manner that presents a real or apparent personal or organizational conflict of interest or personal gain. As permitted by state or local law or regulations, the Grantee agrees that its code of conduct or standards of conduct shall include penalties,

sanctions, or other disciplinary actions for violations by its officers, employees, council or board members, or their agents, or its third-party contractors or subgrantees or their agents.

B. Personal Conflicts of Interest

The Grantee agrees that its code of conduct or standards of conduct shall prohibit the Grantee's employees, officers, council or board members, or agents from participating in the selection, award, or administration of any third-party contract or subagreement supported by grant funding if a real or apparent conflict of interest would be involved. Such a conflict would arise when an employee, officer, board member, or agent, including any member of his or her immediate family, partner, or organization that employs, or intends to employ, any of the parties listed herein has a financial interest in a firm competing for award.

C. Organizational Conflicts of Interest

The Grantee agrees that its code of conduct or standards of conduct shall include procedures for identifying and preventing real and apparent organizational conflicts of interest. An organizational conflict of interest exists when the nature of the work to be performed under a proposed third-party contract or subagreement may, without some restrictions on future activities, result in an unfair competitive advantage to the third-party contractor or subgrantee or impair its objectivity in performing the contract work.

D. SANDAG Code of Conduct

SANDAG has established policies concerning potential conflicts of interest. These policies apply to Grantee. For all awards by SANDAG, any practices which might result in unlawful activity are prohibited including, but not limited to, rebates, kickbacks, or other unlawful considerations. SANDAG staff members are specifically prohibited from participating in the selection process when those staff have a close personal relationship, family relationship, or past (within the last 12 months), present, or potential business or employment relationship with a person or business entity seeking a contract with SANDAG. It is unlawful for any contract to be made by SANDAG if any individual Board member or staff has a prohibited financial interest in the contract. Staff also are prohibited from soliciting or accepting gratuities from any organization seeking funding from SANDAG. SANDAG's officers, employees, agents, and board members shall not solicit or accept gifts, gratuities, favors, or anything of monetary value from consultants, potential consultants, or parties to subagreements. By signing this Agreement, Grantee affirms that it has no knowledge of an ethical violation by SANDAG staff or Grantee. If Grantee has any reason to believe a conflict of interest exists with regard to the Agreement or the Project, it should notify the SANDAG Office of General Counsel immediately.

E. Bonus or Commission

The Grantee affirms that it has not paid, and agrees not to pay, any bonus or commission to obtain approval of its grant funding application for the Project.

F. False or Fraudulent Statements or Claims

The Grantee acknowledges and agrees that by executing the Agreement for the Project, the Grantee certifies or affirms the truthfulness and accuracy of each statement it has made, it

makes, or it may make in connection with the Project, including, but not limited to, the Grantee's grant application, progress reports and invoices.

VIII. PAYMENTS

A. Method of Payment

The method of payment for this Agreement will be based upon actual allowable costs described herein.

B. Alternate Payee

If the Grantee designates a party as an Alternate Payee, Alternate Payee is authorized to submit payment requests directly to SANDAG to receive reimbursement for allowable Project costs. This does not alleviate Grantee from all obligations under this Grant Agreement.

C. Invoicing

Grantee or Alternate Payee is required to submit invoices quarterly. Invoices must be accompanied by a quarterly report (template to be provided by SANDAG). SANDAG will make payments for eligible amounts to Grantee or Alternate Payee as promptly as SANDAG fiscal procedures permit upon receipt of Grantee's or Alternate Payee's itemized signed invoice(s). SANDAG shall retain 10 percent from the amounts invoiced until satisfactory completion of work. SANDAG shall promptly pay retention amounts to Grantee or Alternate Payee following satisfactory completion of work, receipt of final invoice, and all required documentation.

D. Eligible Costs

The Grantee agrees that Project costs eligible for grant funding must comply with the following requirements, unless SANDAG determines otherwise in writing. To be eligible for reimbursement, Project costs must be:

1. Consistent with the Project Scope of Work, the Approved Project Budget, and other provisions of the Agreement.
2. Necessary in order to accomplish the Project.
3. Reasonable for the goods or services purchased.
4. Actual net costs to the Grantee (i.e., the price paid minus any refunds, rebates, or other items of value received by the Grantee that have the effect of reducing the cost actually incurred, excluding program income). Project generated revenue realized by the Grantee shall be used in support of the Project. Project generated revenue and expenditures, if any, shall be reported at the end of the Agreement period.
5. Incurred for work performed on or after the SANDAG Notice to Proceed date, and before the termination date, and also must have been paid for by the Grantee.
6. Satisfactorily documented with supporting documentation, which is to be submitted with each invoice.

7. Treated consistently in accordance with generally accepted accounting principles and procedures for the Grantee and any third-party contractors and subgrantees, (see Section entitled "Accounting Records").
8. Eligible for grant funding as part of the grant program through which the funds were awarded.
9. Indirect Costs are only allowable with prior SANDAG approval. Grantee must submit the following documentation as part of the grant application materials: (1) an indirect cost allocation audit approved by a qualified independent auditor or (2) the applicant's proposed method for allocating indirect costs in accordance with federal guidelines. Indirect cost allocation plans must be reviewed and renewed annually.

E. Excluded Costs

Certain costs associated with bike and pedestrian projects that do not directly benefit people walking and biking are ineligible. These ineligible expenses include, but are not limited to: curb, gutter, and other drainage improvements; newly installed driveway ramps; roadway shoulders, where roadway design standards require a roadway shoulder width at least as wide as would be required for a standard bike lane; and any required element under a different capital improvement project other than the Project. Expenses related to the replacement of existing infrastructure as a result of Project work may be eligible for reimbursement, but Grantee will be required to justify the necessary inclusion of such improvements prior to requesting reimbursement.

The Grantee understands and agrees that payment to the Grantee for any Project cost does not constitute SANDAG's final decision about whether that cost is allowable and eligible for payment under the Project and does not constitute a waiver of any violation by the Grantee of the terms of this Agreement or Board Policy No. 035. The Grantee acknowledges that SANDAG will not make a final determination about the allowability and eligibility of any cost until the final payment has been made on the Project or the results of an audit of the Project requested by SANDAG or its Independent Taxpayers' Oversight Committee (ITOC) has been completed, whichever occurs latest. If SANDAG determines that the Grantee is not entitled to receive any portion of the grant funding requested or paid, SANDAG will notify the Grantee in writing, stating its reasons. The Grantee agrees that Project closeout will not alter the Grantee's responsibility to return any funds due to SANDAG as a result of later refunds, corrections, performance deficiencies, or other similar actions; nor will Project closeout alter SANDAG's right to disallow costs and recover funds provided for the Project on the basis of a later audit or other review. Upon notification to the Grantee that specific amounts are owed to SANDAG, whether for excess payments of grant funding, disallowed costs, or funds recovered from third parties or elsewhere, the Grantee agrees to promptly remit to SANDAG the amounts owed, including applicable interest, penalties and administrative charges.

IX. ACCOUNTING, REPORTING, RECORD RETENTION, AND ACCESS

A. Project Accounts

The Grantee and/or Alternate Payee agree to establish and maintain for the Project either a separate set of accounts or separate accounts within the framework of an established accounting system that can be identified with the Project. The Grantee and/or Alternate

Payee also agree to maintain documentation of all checks, payrolls, invoices, contracts, vouchers, orders, or other accounting documents related in whole or in part to the Project so that they may be clearly identified, readily accessible, and available to SANDAG upon request and, to the extent feasible, kept separate from documents not related to the Project.

B. Reports

The Grantee agrees to submit to SANDAG all reports required by law and regulation, policy, this Agreement, and any other reports SANDAG may specify. SANDAG reserves the right to specify that records be submitted in particular formats.

C. Quarterly Reports

Grantee shall submit written quarterly reports to SANDAG detailing the progress of its work, expenditures incurred, and information regarding whether the Project is projected to be completed within the limits of the Approved Project Budget, Project Schedule, and consistent with Board Policy No. 035 and any policy amendments thereto. Grantee shall document the progress and results of work performed under this Agreement to the satisfaction of SANDAG. This includes progress and final reports, plans, specifications, estimates, and other evidence of attainment of the Agreement objectives, which are requested by SANDAG or ITOC. Grantee may be required to attend meetings of SANDAG staff and committees, including but not limited to ITOC, the Regional Planning Committee, the Transportation Committee, and the SANDAG Board of Directors, to report on its progress and respond to questions.

D. Record Retention

During the course of the Project and for three years thereafter from the date of transmission of the final expenditure report, the Grantee agrees to maintain, intact and readily accessible, all communications, data, documents, reports, records, contracts, and supporting materials relating to the Project, as SANDAG may require. All communications and information provided to SANDAG become the property of SANDAG and public records, as such, may be subject to public review. Please see SANDAG's Board Policy 015: Records Management Policy, which is available at www.sandag.org/legal, for information regarding the treatment of documents designated as confidential.

E. Access to Records of Grantees and Subgrantees

The Grantee agrees to permit, and require its subgrantees to permit, SANDAG or its authorized representatives, upon request, to inspect all Project work, materials, payrolls, and other data, and to audit the books, records, and accounts of the Grantee and its subgrantees pertaining to the Project.

F. Communities Served Data and Reporting

If requested, Grantee shall provide SANDAG with data regarding how the Project's benefits and burdens were equitably distributed among socio and economic populations in the area affected by the Project, and associated smart growth data, and/or any other relevant information.

X. PROJECT COMPLETION, AUDIT, SETTLEMENT, AND CLOSEOUT

A. Project Completion

Within 90 calendar days following Project completion or termination by SANDAG, the Grantee agrees to submit a final certification of Project expenses and final reports, as applicable. All payments made to the Grantee shall be subject to review for compliance by SANDAG with the requirements of this Agreement and shall be subject to an audit upon completion of the Project.

B. Project Audit

Note to Grant Recipient: Only the applicable sections will be included.

For TransNet-funded projects:

The Grantee agrees to have financial and compliance audits performed as SANDAG may require consistent with the *TransNet* Extension Ordinance. The Grantee agrees that Project closeout will not alter the Grantee's audit responsibilities. Audit costs are allowable Project costs.

For TDA-funded projects:

The Grantee agrees to have financial and compliance audits performed as SANDAG may require consistent with Public Utilities Code Section 99245, for TDA funds; and consistent with the *TransNet* Extension Ordinance for *TransNet* funds. The Grantee agrees that Project closeout will not alter the Grantee's audit responsibilities. Audit costs are allowable Project costs.

C. Performance Audit

The Grantee agrees to cooperate with SANDAG or ITOC with regard to any performance audit that is performed on the Project pursuant to the *TransNet* Ordinance.

D. Project Closeout

Project closeout occurs when SANDAG notifies the Grantee that SANDAG has closed the Project, and, if applicable, either forwards the final grant funding payment and or acknowledges that the Grantee has remitted the proper refund. The Grantee agrees that Project closeout by SANDAG does not invalidate any continuing requirements imposed by the Agreement or any unmet requirements set forth in a written notification from SANDAG.

E. Project Use

Grantee was awarded this Agreement based on representations in its grant application regarding the Project's intended use. If the Project is a capital project, Grantee hereby commits to continued use of the Project for the purposes stated in its application for a period of at least five years after completion of construction. SANDAG may require Grantee to refund grant funding provided for the Project in the event Grantee fails to use the Project for its intended purposes as stated in the grant application or for any disallowed costs.

XI. TIMELY PROGRESS AND RIGHT OF SANDAG TO TERMINATE

- A.** Grantee shall make diligent and timely progress toward completion of the Project within the timelines set forth in the Project Schedule, and consistent with Board Policy No. 035 and any policy amendments thereto.
- B.** In the event Grantee encounters or anticipates difficulty in meeting the Project Schedule, the Grantee shall immediately notify the SANDAG Project Manager in writing, and shall provide pertinent details, including the reason(s) for the delay in performance and the date by which Grantee expects to complete performance or delivery. This notification shall be informational in character only and receipt of it shall not be construed as a waiver by SANDAG of a project delivery schedule or date, or any rights or remedies provided by this Agreement, including Board Policy No. 035 requirements.
- C.** Grantee agrees that SANDAG, at its sole discretion, may suspend or terminate all or any part of the grant funding if the Grantee fails to make reasonable progress on the Project and/or violates the terms of the Agreement or Board Policy No. 035, or if SANDAG determines that the purpose of the laws or policies authorizing the Project would not be adequately served by the continuation of grant funding for the Project.
- D.** In general, termination of grant funding for the Project will not invalidate obligations properly incurred by the Grantee before the termination date to the extent those obligations cannot be canceled. If, however, SANDAG determines that the Grantee has willfully misused grant funding by failing to make adequate progress, or failing to comply with the terms of the Agreement, SANDAG reserves the right to require the Grantee to refund to SANDAG the entire amount of grant funding provided for the Project or any lesser amount as SANDAG may determine.
- E.** Expiration of any Project time period established in the Project Schedule will not, by itself, automatically constitute an expiration or termination of the Agreement for the Project, however, Grantee must request and SANDAG may agree to amend the Agreement in writing if the Project Schedule will not be met. An amendment to the Project Schedule may be made at SANDAG's discretion if Grantee's request is consistent with the provisions of Board Policy No. 035.

XII. CIVIL RIGHTS

The Grantee agrees to comply with all applicable civil rights laws, regulations and policies and shall include the provisions of this section in each subagreement, lease, third-party contract or other legally binding document to perform work funded by this Agreement. Applicable civil rights laws, regulations and policies include, but are not limited to, the following:

A. Nondiscrimination

SANDAG implements its programs without regard to income level, disability, race, color, and national origin in compliance with the Americans with Disabilities Act and Title VI of the Civil Rights Act. Grantee shall prohibit discrimination on these grounds, notify the public of their rights under these laws, and utilize a process for addressing complaints of discrimination. Furthermore, Grantee shall make the procedures for filing a complaint available to members of the public and will keep a log of all such complaints. Grantee must notify SANDAG immediately if a complaint is lodged that relates to the Project or program funded by this

grant. If Grantee receives a Title VI-related or ADA-related complaint, Grantee must notify SANDAG in writing within 72 hours of receiving the complaint so that SANDAG can determine whether it needs to carry out its own investigation.

B. Equal Employment Opportunity

During the performance of this Agreement, Grantee and all of its subcontractors, if any, shall not unlawfully discriminate, harass, or allow harassment, against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, denial of family and medical care leave, denial of pregnancy disability leave, veteran status, or sexual orientation. Grantee and its subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Grantee and its subcontractors shall comply with the provisions of the Fair Employment and Housing Act (California Government Code Section 12900, *et seq.*) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0, *et seq.*). The applicable regulations of the Fair Employment and Housing Commission implementing California Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by this reference and are made a part hereof as if set forth in full. Grantee and its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

XIV. DISPUTES AND VENUE

A. Choice of Law

This Agreement shall be interpreted in accordance with the laws of the State of California.

B. Dispute Resolution Process

In the event Grantee has a dispute with SANDAG during the performance of this Agreement, Grantee shall continue to perform unless SANDAG informs Grantee in writing to cease performance. The dispute resolution process for disputes arising under this Agreement shall be as follows:

1. Grantee shall submit a statement of the grounds for the dispute, including all pertinent dates, names of persons involved, and supporting documentation, to SANDAG's Project Manager. The Project Manager and other appropriate SANDAG staff will review the documentation in a timely manner and reply to Grantee within 20 calendar days. Upon receipt of an adverse decision by SANDAG, Grantee may submit a request for reconsideration to SANDAG's Executive Director. The request for reconsideration must be received within ten calendar days from the postmark date of SANDAG's reply. The Executive Director will respond in writing to the request for reconsideration within ten working days.
2. If Grantee is dissatisfied with the results following exhaustion of the above dispute resolution procedures, Grantee shall make a written request to SANDAG for appeal to the SANDAG Regional Planning Committee for SGIP projects or to the SANDAG Transportation Committee for ATGP projects. SANDAG shall respond to a request for

mediation within 30 calendar days. The decision of the Regional Planning Committee or Transportation Committee shall be final.

C. Venue

If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of San Diego, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, litigation and collection expenses, witness fees, and court costs as determined by the court.

XV. ASSIGNMENT

Grantee shall not assign, sublet, or transfer (whether by assignment or novation) this Agreement or any rights under or interest in this Agreement.

XVI. INSURANCE

Grantee shall procure and maintain during the period of performance of this Agreement, and for 12 months following completion, policies of insurance from insurance companies authorized to do business in the State of California or the equivalent types and amounts of self-insurance, as follows:

A. General Liability

Combined single limit of \$1,000,000 per occurrence and \$2,000,000 general aggregate for personal and bodily injury, including death, and broad form property damage. The policy must include an acceptable "Waiver of Transfer Rights of Recovery Against Others Endorsement." The policy must name SANDAG as an additional insured in the endorsement. A deductible or retention may be utilized, subject to approval by SANDAG.

B. Automobile Liability

For personal and bodily injury, including death, and property damage in an amount not less than \$1,000,000.

C. Workers' Compensation and Employer's Liability

Policy must comply with the laws of the State of California. The policy must include an acceptable "Waiver of Right to Recover from Others Endorsement" naming SANDAG as an additional insured.

D. Other Requirements

Grantee shall furnish satisfactory proof by one or more certificates (original copies) that it has the foregoing insurance. The insurance shall be provided by an acceptable insurance provider, as determined by SANDAG, which satisfies the following minimum requirements:

1. An insurance carrier qualified to do business in California and maintaining an agent for service of process within the state. Such insurance carrier shall maintain a current A.M. Best rating classification of "A-" or better, and a financial size of "\$10 million to \$24 million (Class V) or better," or

2. A Lloyds of London program provided by syndicates of Lloyds of London and other London insurance carriers, providing all participants are qualified to do business in California and the policy provides for an agent for service of process in California.
- E.** Certificates of insurance shall be filed with SANDAG. These policies shall be primary insurance as to SANDAG so that any other coverage held by SANDAG shall not contribute to any loss under Grantee's insurance. Insurance policies shall not be canceled without first giving 30 days advance written notice to SANDAG. For purposes of this notice requirement, any material change in the policy prior to its expiration shall be considered a cancellation.

XVII. INDEMNIFICATION AND HOLD HARMLESS

A. Generally

With regard to any claim, protest, or litigation arising from or related to the Grantee's performance in connection with or incidental to the Project or this Agreement, Grantee agrees to defend, indemnify, protect, and hold SANDAG and its agents, officers, Board members, and employees harmless from and against any and all claims, including, but not limited to prevailing wage claims against the Project, asserted or established liability for damages or injuries to any person or property, including injury to the Grantee's or its subgrantees' employees, agents, or officers, which arise from or are connected with or are caused or claimed to be caused by the negligent, reckless, or willful acts or omissions of the Grantee and its subgrantees and their agents, officers, or employees, in performing the work or services herein, and all expenses of investigating and defending against same, including attorney fees and costs; provided, however, that the Grantee's duty to indemnify and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of SANDAG, its Board of Directors, agents, officers, or employees.

B. Intellectual Property

Upon request by SANDAG, the Grantee agrees to indemnify, save, and hold harmless SANDAG and its Board of Directors, officers, agents, and employees acting within the scope of their official duties against any liability, including costs and expenses, resulting from any willful or intentional violation by the Grantee of proprietary rights, copyrights, or right of privacy, arising out of the publication, translation, reproduction, delivery, use, or disposition of any data furnished under the Project. The Grantee shall not be required to indemnify SANDAG for any such liability caused solely by the wrongful acts of SANDAG employees or agents.

XVIII. INDEPENDENT CONTRACTOR

A. Status of Grantee

Grantee shall perform the services provided for within this Agreement as an independent contractor, and not as an employee of SANDAG. Grantee shall be under the control of SANDAG as to the result to be accomplished and not the means, and shall consult with SANDAG as provided for in the Scope of Work. The payments made to Grantee pursuant to this Agreement shall be the full and complete compensation to which Grantee is entitled. SANDAG shall not make any federal or state tax withholdings on behalf of Grantee. SANDAG shall not be required to pay any workers' compensation insurance on behalf of Grantee. Grantee agrees to indemnify SANDAG for any tax, retirement contribution, social security, overtime payment, or workers' compensation payment which SANDAG may be required to make on behalf of Grantee or any employee of Grantee for work done under this Agreement.

B. Actions on behalf of SANDAG

Except as SANDAG may specify in writing, Grantee shall have no authority, express or implied, to act on behalf of SANDAG in any capacity whatsoever, as an agent or otherwise. Grantee shall have no authority, express or implied, to bind SANDAG or its members, agents, or employees, to any obligation whatsoever, unless expressly provided for in this Agreement.

XIX. SEVERABILITY AND INTEGRATION

If any provision of the Agreement is determined invalid, the remainder of that Agreement shall not be affected if that remainder would continue to conform to the requirements of applicable laws or regulations. This Agreement represents the entire understanding of SANDAG and Grantee as to those matters contained in it. No prior oral or written understanding shall be of any force or effect with respect to those matters covered herein. This Agreement may not be modified or altered except in writing, signed by SANDAG and the Grantee.

XX. SIGNATURES

The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the date written above.

SAN DIEGO ASSOCIATION OF GOVERNMENTS

JURISDICTION NAME

KIM KAWADA OR DESIGNEE
Chief Deputy Executive Director

FULL NAME
Title

APPROVED AS TO FORM:

APPROVED AS TO FORM:

Office of General Counsel

Full Name
Title

ATTACHMENT A

Scope of Work, Schedule, and Approved Project Budget

Project Location

(Specific project location including jurisdiction, community, neighborhood, corridors, and intersections)

Project Description

(Project type [design and/or construction, master plan, etc.], types of improvements/recommendations, project goals)

(Insert Scope, Schedule, and Approved Project Budget)

TransNet MPO ID NO. _____



COMPETITIVE GRANT PROGRAM PROCEDURES

Applicability and Purpose of Policy

This Policy applies to all grant programs administered through SANDAG, whether from *TransNet* or another source, including but not limited to the Smart Growth Incentive Program, Environmental Mitigation Program, Bike and Pedestrian Program, Senior Mini Grant Program, Federal Transit Administration grant programs, and Active Transportation Grant Program.

Nothing in this Policy is intended to supersede federal or state grant rules, regulations, statutes, or contract documents that conflict with the requirements in this Policy. There are never enough government grant funds to pay for all of the projects worthy of funding in the San Diego region. For this reason, SANDAG awards grant funds on a competitive basis that takes the grantees' ability to perform their proposed project on a timely basis into account. SANDAG intends to hold grantees accountable to the project schedules they have proposed in order to ensure fairness in the competitive process and encourage grantees to get their projects implemented quickly so that the public can benefit from the project deliverables as soon as possible.

Procedures

1. Project Milestone and Completion Deadlines
 - 1.1. When signing a grant agreement for a competitive program funded and/or administered by SANDAG, grant recipients must agree to the project delivery objectives and schedules in the agreement. In addition, a grantee's proposal must contain a schedule that falls within the following deadlines. Failure to meet the deadlines below may result in revocation of all grant funds not already expended. The final invoice for capital, planning, or operations grants must be submitted prior to the applicable deadline.
 - 1.1.1. Funding for Capital Projects. If the grant will fund a capital project, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary construction contract must be awarded within two years following execution of the grant agreement, and construction must be completed within eighteen months following award of the construction contract. Completion of construction for purposes of this policy shall be when the prime construction contractor is relieved from its maintenance responsibilities. If no construction contract award is necessary, the construction project must be complete within eighteen months following execution of the grant agreement.
 - 1.1.2. Funding for Planning Grants. If the grant will fund planning, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary consultant contract must be awarded within one year following execution of the grant agreement, and the planning project must be complete within two years following award of the consultant contract. Completion

of planning for purposes of this policy shall be when grantee approves the final planning project deliverable. If no consultant contract award is necessary, the planning project must be complete within two years of execution of the grant agreement.

1.1.3 Funding for Operations Grants. If the grant will fund operations, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary services contract for operations must be awarded within one year following execution of the grant agreement, and the operations must commence within six months following award of the operations contract. If no services contract for operations is necessary, the operations project must commence within one year of execution of the grant agreement.

1.1.4 Funding for Equipment or Vehicles Grants. If the grant will fund equipment or vehicles, the project must be completed according to the schedule provided in the grant agreement, but at the latest, any necessary purchase contracts for equipment or vehicles must be awarded within one year following execution of the grant agreement, and use of the equipment or vehicles for the benefit of the public must commence within six months following award of the purchase contract.

2. Project Milestone and Completion Deadline Extensions

2.1. Schedules within grant agreements may include project scopes and schedules that will identify interim milestones in addition to those described in Section 1 of this Policy. Grant recipients may receive extensions on their project schedules of up to six months for good cause. Extensions of up to six months aggregate that would not cause the project to miss a completion deadline in Section 1 may be approved by the SANDAG Executive Director. Extensions beyond six months aggregate or that would cause the project to miss a completion deadline in Section 1 must be approved by the Policy Advisory Committee that has been delegated the necessary authority by the Board. For an extension to be granted under this Section 2, the following conditions must be met:

2.1.1. For extension requests of up to six months, the grantee must request the extension in writing to the SANDAG Program Manager at least two weeks prior to the earliest project schedule milestone deadline for which an extension is being requested. The Executive Director or designee will determine whether the extension should be granted. The Executive Director's action will be reported out to the Board in following month's report of delegated actions.

2.1.2. A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes.

2.1.3. If the Executive Director denies an extension request under this Section 2, the grantee may appeal within ten business days of receiving the Executive Director's response to the responsible Policy Advisory Committee by sending the appeal to the SANDAG Program Manager.

2.1.4. Extension requests that are rejected by the Policy Advisory Committee will result in termination of the grant agreement and obligation by the grantee to return to SANDAG any unexpended funds within 30 days. Unexpended funds are funds for project costs not incurred prior to rejection of the extension request by the Policy Advisory Committee.

3. Project Delays and Extensions in Excess of Six Months

3.1. Requests for extensions in excess of six months, or that will cause a project to miss a completion deadline in Section 1 (including those projects that were already granted extensions by the Executive Director and are again falling behind schedule), will be considered by the Policy Advisory Committee upon request to the SANDAG Program Manager.

3.2 A grantee seeking an extension must document previous efforts undertaken to maintain the project schedule, explain the reasons for the delay, explain why the delay is unavoidable, and demonstrate an ability to succeed in the extended time frame the grantee proposes. The grantee must provide the necessary information to SANDAG staff to place in a report to the Policy Advisory Committee. If sufficient time is available, and the grant utilized *TransNet* funds, the request will first be taken to the Independent Taxpayer Advisory Committee (ITOC) for a recommendation. The grantee should make a representative available at the meeting to present the information to, and/or answer questions from, the ITOC and Policy Advisory Committee.

3.3 The Policy Advisory Committee will only grant an extension under this Section 3 for extenuating circumstances that the grantee could not have reasonably foreseen.

4. Resolution and Execution of the Grant Agreement

4.1 Two weeks prior to the review by the Policy Advisory Committee of the proposed grants, prospective grantees must submit a resolution from their authorized governing body that includes the provisions in this Subsection 4.1. Failure to provide a resolution that meets the requirements in this Subsection 4.1 will result in rejection of the application and the application will be dropped from consideration with funding going to the next project as scored by the evaluation committee. In order to assist grantees in meeting this resolution deadline, when SANDAG issues the call for projects it will allow at least 90 days for grant application submission.

4.1.1 Grantee governing body commits to providing the amount of matching funds set forth in the grant application.

4.1.2 Grantee governing body authorizes staff to accept the grant funding and execute a grant agreement if an award is made by SANDAG.

4.2 Grantee's authorized representative must execute the grant agreement within 45 days from the date SANDAG presents the grant agreement to the prospective grantee for execution. Failure to meet the requirements in this Subsection 4.2 may result in revocation of the grant award.

5. Increased Availability of Funding Under this Policy

- 5.1. Grant funds made available as a result of the procedures in this Policy may be awarded to the next project on the recommended project priority list from the most recent project selection process, or may be added to the funds available for the next project funding cycle, at the responsible Policy Advisory Committee's discretion. Any project that loses funding due to failure to meet the deadlines specified in this Policy may be resubmitted to compete for funding in a future call for grant applications.

Adopted: January 2010

Amended: November 2014

ATTACHMENT C

PROJECT IMPLEMENTATION AND OVERSIGHT REQUIREMENTS

All Grant Types (Capital, Non-Capital, and/or Planning Projects)

1. **Contact Information:** Grantee must provide SANDAG with contact information for the project manager. Grantee must provide SANDAG with updated contact information in a timely manner if there are any changes to staff assigned.
2. **Request for Proposals and Consultant Selection:** Upon request by SANDAG, Grantee must submit draft Request for Proposals or bid solicitation documents to SANDAG staff for review and comment for consistency with the agreed upon Scope of Work with SANDAG (Attachment A).
3. **Design Development, Stakeholder, and Community Meetings:** Grantee must provide SANDAG with agendas and meeting summaries for all design development (for capital projects only) and community meetings. SANDAG staff may attend any meetings as appropriate.
4. **Quarterly Reports, Invoices, and Deliverables:** Grantee must submit quarterly reports and invoices to SANDAG, detailing accomplishments in the quarter, anticipated progress next quarter, pending issues and actions toward resolution, and status of budget and schedule. Furthermore, the Grantee agrees to provide project milestone information (such as presentations to community groups, other agencies, and elected officials, ground-breakings, and ribbon-cuttings) to support media and communications efforts. Grantee needs to document and track in-kind contributions designated as matching funds as part of project management. Grantee must provide all deliverables identified in the Scope of Work.
5. **Media and Community Outreach Coordination:** Press materials shall be provided to SANDAG staff before they are distributed. SANDAG and *TransNet* logo(s) should be included in press materials and other project collateral based on logo usage guidelines to be provided by SANDAG. Grantee agrees to provide project milestone information to support media and communications efforts.
6. **Photo Documentation:** Grantees are responsible for the following photo documentation:
 - Existing conditions photos (as applicable), which should illustrate the current conditions of the project site and demonstrate the need for improved facilities
 - Project milestone photos (such as workshops, presentations to community groups, other agencies, and elected officials)

Photos should be high resolution (at least 4 inches by 6 inches with a minimum of 300 pixels per inch) and contain captions with project descriptions, dates, locations, and the names of those featured, if appropriate. Grantees must obtain consent of all persons featured in photos (or that of a parent or guardian of persons under the age of 18) by using the SANDAG Photo and Testimonial Release form to be provided by SANDAG, or a similar release form developed by Grantee and agreed upon by SANDAG.

Capital Grants Only

- 1. Baseline Data Collection:** Prior to the construction of grant-funded improvements, the Grantee is responsible for developing a baseline data collection plan with SANDAG to gather information on pedestrian and bike activity. At a minimum, data should be collected for observed bike and pedestrian volumes, behavior, and attitudes in the project area. Once the data collection plan is approved by SANDAG staff, the Grantee is responsible for carrying out the plan and returning collected data to SANDAG as a deliverable. Standardized forms required for data collection will be provided by SANDAG.

Grantees are encouraged to use the National Bicycle and Pedestrian Documentation Project methodology and plan for the following:

- Conduct counts prior to project construction, during National Documentation Days in the second week of September. Supplementary counts and surveys can be conducted during January, May, and July to provide seasonal data, if desired
- Conduct counts for two hours, at peak times relative to the facility. For example, facilities attracting utilitarian trips should be counted on a Tuesday, Wednesday, or Thursday from 5 to 7 p.m., whereas facilities attracting recreational trips should be counted on a Saturday, from 9 to 11 a.m.

In the case that the above timeframes are deemed infeasible due to the project schedule, the Grantee and SANDAG will collaborate on an alternative data collection methodology and procedure.

A subset of project areas may be selected for in-depth evaluation by SANDAG, in which case, SANDAG will conduct the data collection effort with required participation from Grantee staff. Such in-depth evaluation conducted by SANDAG will take place solely for the purpose of SANDAG Active Transportation data collection and monitoring efforts, and will not impact Grantees' budgets.

Grantees should plan to budget \$5,000 for data collection.

- 2. Plan Review:** Grantee must submit project design drawings and cost estimates (if available) to SANDAG for review and comment at 30 percent, 60 percent, 90 percent, and 100 percent design. SANDAG staff may meet with the Grantee to comment on submitted plans and assure substantial conformance. SANDAG may comment on submitted plans regarding:
 - Whether the plans are consistent with the Project proposed in the original grant application
 - Consistency with accepted pedestrian/bike facility and smart growth design standards
- 3. Project Signage:** Each project or program of \$250,000 or more funded in whole or in part by revenues from the *TransNet* Extension Ordinance shall be clearly designated during its construction or implementation as being provided by such revenues. SANDAG will provide sign specifications. Grantee agrees to follow sign specifications in *TransNet* Signage Guide and submit proof files to SANDAG for approval before production.
- 4. Performance Monitoring:** SANDAG staff may measure performance of the constructed capital improvements against stated project objectives, and evaluate the overall grant program. Grantee is expected to meet with SANDAG staff to identify relevant performance measures and data sources, and provide available data and feedback regarding the program as appropriate.



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: City Manager's Department
SUBJECT: **Council Consideration of Resolution 2018-033 Approving a Memorandum of Understanding with the San Diego Association of Governments Regarding the Regional Shoreline Monitoring Program**

BACKGROUND:

The San Diego Association of Governments (SANDAG) Regional Shoreline Monitoring Program (Program) began in 1996 to measure the changes in beach width over time, document the benefits of sand replenishment projects and help to improve the design and effectiveness of beach fills. This comprehensive approach to monitoring the shoreline provides data that can document changes to the shoreline over time and provides important information to decision-makers when beach replenishment efforts are contemplated.

The Program has historically been paid for on a yearly basis by coastal cities based on miles of sandy shoreline as part of their SANDAG membership assessments. The coastal cities are notified regarding their contribution for the subsequent year's monitoring efforts during the spring of each year.

This item is before the City Council to consider approving Resolution 2018 – 033 (Attachment 1), authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with SANDAG regarding the Regional Shoreline Monitoring Program for Fiscal Years 2018 through 2022.

DISCUSSION:

On November 18, 2016, the SANDAG Board of Directors approved continuation of the Program for an additional five-year period and authorized the Executive Director to execute all documents necessary to implement the Program. SANDAG entered into an agreement with BRG Consulting, Inc. on September 30, 2017, to carry out beach monitoring activities for the Program from fall 2017 to spring 2022 based on the costs shown in Attachment 2. The total cost for the City of Solana Beach (City) for the five-year period is twenty five thousand five hundred and ninety one dollars (\$25,591.00).

CITY COUNCIL ACTION:

AGENDA ITEM A.5.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The City's costs as shown in the Regional Shoreline Monitoring Program Costs (Attachment 2) are \$25,591.00 over the five-year MOU term. SANDAG will bill the City for its proportionate share of the Program as part of their yearly SANDAG member assessment through July 2022 as shown in Attachment 2. Costs will be paid for from the Sand Replenishment Transient Occupancy Tax fund.

WORK PLAN:

This work will support the Work Plan's Community Character/Land Use Planning Priority No. 3 – Beach Sand Replenishment & Retention Program.

OPTIONS:

- Approve Staff recommendation
- Approve Staff recommendation with alternative amendments / modifications.
- Reject Staff recommendation and provide direction.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Resolution 2018-033 authorizing the City Manager to enter into a Memorandum of Understanding with the San Diego Association of Governments regarding the Regional Shoreline Monitoring Program.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution No. 2018-033
2. Regional Shoreline Monitoring Program Costs

RESOLUTION 2018-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SOLANA BEACH AND SAN DIEGO ASSOCIATION OF GOVERNMENTS REGARDING THE REGIONAL SHORELINE MONITORING PROGRAM

WHEREAS, The San Diego Association of Governments (SANDAG) Regional Shoreline Monitoring Program (Program) began in 1996 to measure the changes in beach width over time, document the benefits of sand replenishment projects and help to improve the design and effectiveness of beach fills; and

WHEREAS, The Program has historically been paid for on a yearly basis by coastal cities based on miles of sandy shoreline as part of their SANDAG membership assessments; and

WHEREAS, On November 18, 2016, the SANDAG Board of Directors approved continuation of the Program for an additional five year period and authorized the Executive Director to execute all documents necessary to implement the Program from fall 2017 to spring 2022; 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 approves and authorizes the City Manager to execute the Memorandum of Understanding between the City of Solana Beach and San Diego Association of Governments for its Regional Shoreline Monitoring Program.

PASSED AND ADOPTED this 28th day of March 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

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

Ginger Marshall, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

ATTACHMENT 1

Regional Shoreline Monitoring Program Costs

Jurisdiction	Shoreline (miles)	% of Total	FY 2018 Cost¹	FY 2019 Cost	FY 2020 Cost	FY 2021 Cost	FY 2022 Cost
Carlsbad	6.5	14.90%	\$19,989	\$21,726	\$21,769	\$22,405	\$23,060
Coronado	3.1	7.10%	\$9,525	\$10,353	\$10,373	\$10,676	\$10,988
Del Mar	3	6.90%	\$9,257	\$10,061	\$10,081	\$10,375	\$10,679
Encinitas	5.8	13.30%	\$17,842	\$19,393	\$19,431	\$19,999	\$20,584
Imperial Beach ²	2.7	6.20%	\$8,318	\$9,040	\$9,058	\$9,323	\$9,595
Oceanside	3.6	8.30%	\$11,135	\$12,102	\$12,126	\$12,480	\$12,845
San Diego	17.3	39.80%	\$53,393	\$58,032	\$58,147	\$59,846	\$61,596
Solana Beach	1.5	3.50%	\$4,695	\$5,103	\$5,113	\$5,263	\$5,417
Total	43.5	100%	\$134,154	\$145,810	\$146,098	\$150,367	\$154,764

¹ Regional Shoreline Monitoring Program costs for FY 2018 were billed to each jurisdiction listed above in the summer or 2017.

² One-half of the City of Imperial Beach payment will be paid for by the Port of San Diego.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing – Tax Exempt Fiscal Responsibility Act (TEFRA) Hearing for Conduit Financing for the Pearl Apartments Affordable Housing Project located in the 500 Block of South Sierra Avenue, Solana Beach APN: 298-211-81 Resolution 2018-034**

BACKGROUND:

On December 9, 2015, the City Council approved a time extension to all of the previously approved entitlements by the City, including but not limited to a Development Review Permit (DRP) and an administrative Structure Development Permit (SDP) to construct a mixed-use affordable housing development on a City-owned, 14,721 square foot site in the 500 block of South Sierra Avenue, known as “The Pearl” Project. The Pearl Project was originally approved at a Public Hearing at the April 23, 2014 City Council Meeting.

The approved project includes 12,920 square feet of building area composed of 10 dwelling units and required facilities, including laundry, maintenance, elevators, and trash enclosures, and commercial office space. The approved density bonus development includes 795 square feet of commercial office space on the first level, 10 affordable housing units located on the second and third levels, and structured parking on the first and basement levels. A total of 53 parking spaces will be provided, including 31 parking spaces to replace the existing 31 public parking spaces, 18 parking spaces for the residential units, and four (4) parking spaces for the commercial office use. The maximum height of the development was approved at 35 feet from the lower of pre-existing or finished grade. The project includes 5,100 cubic yards of excavation of potential beach-quality sediment, all to be exported. The property is zoned General Commercial (C) and is located in the Highway 101 Corridor Specific Plan.

COUNCIL ACTION:

The City Council is now being asked to conduct a public hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) in connection with the proposed issuance of revenue bonds by the California Municipal Finance Authority (CMFA), a joint exercise of powers authority and public entity of the State of California, in an amount not to exceed \$9,000,000, (the "Bond"), to assist in the construction by the Borrower of a 10-unit multifamily residential rental housing facility to be located in the 500 block of South Sierra Avenue in the City currently known as The Pearl (the "Project").

Hitzke Development Corporation (the "Borrower") requested that the CMFA serve as the municipal issuer of the Bonds in an aggregate principal amount not to exceed \$9,000,000 of tax-exempt revenue bonds. The proceeds of the Bonds will be used for the construction of the Project by the Borrower.

In order for all or a portion of the Bonds to qualify as tax-exempt bonds, the City of Solana Beach must conduct a public hearing (the "TEFRA Hearing") providing for the members of the community an opportunity to speak in favor of or against the use of tax-exempt bonds for the financing of the Project.

On August 24, 2016, the City Council held a public hearing regarding the proposed financing of the Project and, following the public hearing, adopted Resolution No. 2016-104 approving the issuance of the Bonds by the Authority for the Project; however, the Bonds have not yet been issued and applicable federal regulations require that the City Council's approval of the issuance of the Bonds occur within one year of the date of issuance of the Bonds

This item is before the City Council to conduct a TEFRA hearing in connection with the proposed issuance of revenue bonds by the CMFA, and to consider adoption of Resolution 2018-034 (Attachment 1).

DISCUSSION:

The CMFA was created on January 1, 2004 pursuant to a joint exercise of powers agreement to promote economic, cultural and community development, through the financing of economic development and charitable activities throughout California. To date, over 290 municipalities, including the City of Solana Beach, have become members of CMFA.

The CMFA was formed to assist local governments, non-profit organizations and businesses with the issuance of taxable and tax-exempt bonds aimed at improving the standard of living in California. The CMFA's representatives and its Board of Directors have considerable experience in bond financings.

In light of the foregoing, and in order to support affordable housing, draft Resolution 2018-034 (Attachment 1) has been prepared for Council consideration.

CEQA COMPLIANCE STATEMENT:

This action for project financing is not considered a project as defined by the California Environmental Quality Act (CEQA). The Pearl Project was found exempt pursuant to the 2014 State of California CEQA Guidelines Section 15332, In-fill Development, when the project was approved by the City Council on April 23, 2014.

FISCAL IMPACT:

This action would have no direct impact to the City's General Fund. The Bonds to be issued by the CMFA for the Project will be the sole responsibility of the Borrower, and the City will have no financial, legal, moral obligation, liability or responsibility for the repayment of the Bonds for the financing of the Project. All financing documents with respect to the issuance of the Bonds will contain clear disclaimers that the Bonds are not obligations of the City or the State of California, but are to be paid for solely from funds provided by the Borrower.

The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation (the "Foundation"), acts as the Board of Directors for the CMFA. Through its conduit issuance activities, the CMFA shares a portion of the issuance fees it receives with its member communities and donates a portion of these issuance fees to the Foundation for the support of local charities. With respect to the City of Solana Beach, it is expected that that a portion of the issuance fee attributable to the City will be granted by the CMFA to the general fund of the City. Such grant may be used for any lawful purpose of the City.

WORKPLAN: N/A

OPTIONS:

- Approve Staff recommendation.
- Approve Staff recommendation with alternative amendments / modifications.
- Continue the item to gather specific information for return.

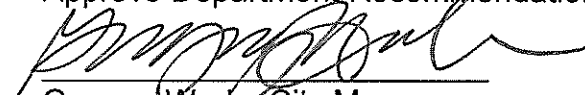
DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

1. Conduct the TEFRA Public Hearing: Open the public hearing, Report Council disclosures, Receive public testimony, Close the public hearing.
2. Adopt Resolution 2018-034 in favor of the issuance of the bonds by the CMFA.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments: 1. Resolution 2018-034

RESOLUTION NO. 2018-034

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING THE ISSUANCE OF MULTIFAMILY HOUSING REVENUE BONDS BY THE CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR THE PURPOSE OF FINANCING THE ACQUISITION AND CONSTRUCTION OF A MULTIFAMILY RENTAL HOUSING FACILITY CURRENTLY KNOWN AS THE PEARL

WHEREAS, pursuant Chapter 5 of Division 7 of Title 1 of the Government Code of the State of California (the "Act"), certain public agencies (the "Members") have entered into a Joint Exercise of Powers Agreement, effective on January 1, 2004 (the "Agreement") in order to form the California Municipal Finance Authority (the "Authority"), for the purpose of promoting economic, cultural and community development, and in order to exercise any powers common to the Members, including the issuance of bonds, notes, or other evidences of indebtedness and

WHEREAS, the Authority is authorized to issue and sell revenue bonds for the purpose, among others, of financing or refinancing the acquisition, construction and rehabilitation of multifamily rental housing projects; and

WHEREAS, the City of Solana Beach, California (the "City") is a member of the Authority; and

WHEREAS, Hitzke Development Corporation ("HDC") has requested that the Authority issue one or more series of revenue bonds in an aggregate principal amount not to exceed \$9,000,000 (the "Bonds"), and lend the proceeds of the Bonds to The Pearl Solana Beach, L.P., a California limited partnership (the "Borrower") sponsored by HDC for the purpose of financing the costs of the acquisition and construction by the Borrower of a 10 unit multifamily residential rental housing facility to be located in the 500 block of South Sierra Avenue in the City currently known as The Pearl (the "Project"), to be owned by the Borrower; and

WHEREAS, in order for the interest on Bonds to be tax-exempt, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that an "applicable elected representative" of the governmental unit, the geographic jurisdiction of which contains the site of Project to be financed with the proceeds of the Bonds, hold a public hearing on the issuance of the Bonds and approve the issuance of the Bonds following such hearing; and

WHEREAS, the Authority has determined that the City Council is an "applicable elected representative" for purposes of the Code; and

WHEREAS, on August 24, 2016, the City Council held a public hearing regarding the proposed financing of the Project and, following the public hearing, adopted Resolution No. 2016-104 approving the issuance of the Bonds by the Authority for the Project; however, the Bonds have not yet been issued and applicable federal regulations require that the City Council's approval of the issuance of the Bonds occur within one year of the date of issuance of the Bonds; and

WHEREAS, in light of the foregoing and the intention of HDC to now proceed with the financing of the Project, the Authority has requested that the City Council once again approve the issuance of the Bonds by the Authority in order to satisfy the public approval requirements of section 147(f) of the Code and the requirements of Section 4 of the Agreement; and

WHEREAS, notice of the new public hearing has been duly given as required by the Code and the City Council has heretofore held the new public hearing at which all interested persons were given an opportunity to be heard on all matters relative to the financing of the Project and the Authority's issuance of the Bonds therefore, and the City Council now desires to approve the issuance of the Bonds by the Authority.

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

1. The City Council hereby approves the issuance of the Bonds by the Authority for the purpose of providing funds to make a loan to the Borrower to enable the Borrower to finance costs of the Project. It is the purpose and intent of the City Council that this Resolution constitute approval of the issuance of the Bonds by the Authority for the purposes of: (a) Section 147(f) of the Code, by the applicable elected representative of the governmental unit having jurisdiction over the area in which the Project is located, in accordance with said Section 147(f), and (b) Section 4 of the Agreement.
2. The issuance of the Bonds shall be subject to approval of the Authority of all financing documents relating thereto to which the Authority is a party. The City shall have no responsibility or liability whatsoever with respect to repayment or administration of the Bonds.
3. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.

4. The City Manager, the City Clerk and all other officers and officials of the City are hereby authorized and directed to do any and all things and to execute and deliver any and all agreements, documents and certificates which they deem necessary or advisable in order to carry out, give effect to and comply with the terms and intent of this Resolution and the financing transaction approved hereby.
5. The City Clerk is hereby directed to forward a certified copy of this Resolution to the bond counsel for the Bonds, addressed as follows:

Paul J. Thimmig, Esq.
Quint & Thimmig LLP
900 Larkspur Landing Circle, Suite 270
Larkspur, CA 94939-1726

6. This Resolution shall take effect upon its adoption.

PASSED AND ADOPTED this 28th day of March, 2018, 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 –

GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Community Development Department
SUBJECT: **Public Hearing: Request for a Development Review Permit and Structure Development Permit to Construct a New Second Story Addition to an Existing One-Story, Single-Family Residence with an Attached Two-Car Garage at 708 Castro Street (Case # 17-17-12 DRP/SDP, Applicants: Casey and Behfar Mitchell; APN 298-162-31; Resolution No. 2018-025)**

BACKGROUND:

The Applicants, Casey and Behfar Mitchell, are seeking City Council approval of a Development Review Permit (DRP) and Structure Development Permit (SDP) to construct a new 1,286 square foot second story addition and a 124 square foot second story covered balcony area to an existing 2,000 square foot one-story, single-family residence with an attached 446 square foot two-car garage on an 8,947 square foot lot in the Medium Residential (MR) Zone and within the Scaled Residential Overlay Zone (SROZ). The maximum building height would be 23.3 feet above existing grade and 107.5 feet above Mean Sea Level (MSL). The project is located at 708 Castro Street.

The project does not propose any grading of the site. The project requires a DRP for two reasons, 1) because the total proposed floor area would exceed 60 percent of the maximum allowable floor area for the subject site, and 2) the proposed second story would exceed 35 percent of the existing floor area of the first floor. The project requires an administrative SDP because the proposed addition exceeds 16 feet in height above the existing grade.

The issue before the Council is whether to approve, approve with conditions, or deny the Applicants' request as contained in Resolution 2018-025 (Attachment 1).

CITY COUNCIL ACTION:

DISCUSSION:

The lot is rectangular in shape and currently developed with a one-story, single-family residence, which would remain as part of this project. The lot fronts on Castro Street and abuts residential properties to the north, south and east. The topography of the lot slopes upward from Castro Street to the rear property line with an approximate five (5) foot change in elevation. The Applicants propose to construct a new 1,286 square foot second story addition consisting of a 1,162 square foot living area and 124 square foot covered balcony area that is included in calculation of floor area because it is covered and enclosed on three sides.

The total proposed floor area would be 3,332 square feet, with the 400 square foot exemption allowed for the two required off-street parking spaces located within the existing garage. The Applicants are not proposing any modifications to the existing landscaping. The project plans are provided in Attachment 2.

Table 1 (below) provides a comparison of the Solana Beach Municipal Code (SBMC) applicable zoning regulations with the Applicants' proposed design.

Table 1	
LOT INFORMATION	
Property Address: 708 Castro St	Zone: MR/SROZ
Lot Size: 8,947 ft ²	Density Per Acre: 5-7 du/ac
Max. Allowable Floor Area: 3,516 ft ²	# of Units Allowed: 1 Dwelling Unit, 1 ADU
Proposed Floor Area: 3,332 ft ²	# of Units Requested: 1 Dwelling Unit
Below Max. Floor Area by: 184 ft ²	
Max. Allowable Height: 25 ft.	Setbacks:
Max. Proposed Height: 23.3 ft.	Required Proposed
Highest Point/Ridge: 107.5 MSL	Front 25 ft. 26 ft.
	Side (N) 5 ft. 10 ft.
	Side (S) 5 ft. 12 ft.
	Rear 25 ft. 25 ft.
PROPOSED PROJECT INFORMATION	
Existing + Proposed Square Footage Breakdown:	Required Permits:
Existing First Floor: 1,964 SF	DRP: proposed floor area exceeds 60% of the maximum allowable floor area and the total floor area of the proposed second story exceeds 35% of the existing floor area of the first story.
Existing Covered Front Entry: 36 SF	
Existing Garage: 446 SF	SDP: proposed addition would exceed 16 feet in height measured from pre-existing grade.
Proposed Second Story Addition: 1,162 SF	
Proposed Covered Balcony Area: 124 SF	
Subtotal: 3,732 SF	
Garage Exemption: - 400 SF	
Total: 3,332 SF	
Proposed Grading: No grading proposed	
Proposed Parking: Attached two car garage	Existing Development: SFR
Proposed Fences and Walls: No	To be demolished: N/A
Proposed Guest House: No	To remain: SFR
Proposed Accessory Dwelling Unit: No	
Proposed Accessory Structure: No	

Staff has prepared draft findings for approval of the project for Council's consideration based upon the information in this report. Conditions from the Community Development Department, Engineering and Fire Departments have been incorporated into the Resolution of Approval. The Council may direct Staff to modify the Resolution to reflect the findings and conditions as it deems appropriate as a part of the public hearing process. If the Council determines the project is to be denied, Staff will prepare a Resolution of Denial for adoption at a subsequent Council meeting.

The following is a discussion of the findings for a DRP and an administrative SDP as each applies to the proposed project as well as references to recommended conditions of approval contained in Resolution 2018-025 (Attachment 1).

Development Review Permit Compliance (SBMC Section 17.68.40):

A DRP is required for the following reasons: 1) the total existing floor area plus proposed new floor area exceeds 60 percent of the maximum allowable floor area for the property; and 2) the floor area of the proposed second story exceeds 35 percent of the existing floor area of the first story. The total floor area proposed is 3,332 square feet, which is 184 square feet below the maximum allowable floor area for the property, pursuant to the SROZ.

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

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

The Council may approve, or conditionally approve, a DRP only if all of the findings listed below can be made. If the Council conditionally approves the proposed project, Resolution 2018-025 (Attachment 1) provides the full discussion of the following findings:

1. The proposed development is consistent with the general plan and all applicable requirements of the zoning ordinance including special regulations, overlay zones, and specific plans.
2. The proposed development complies with the development review criteria.
3. All required permits and approvals issued by the city, including variances, conditional use permits, comprehensive sign plans, and coastal development

permits have been obtained prior to or concurrently with the development review permit.

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

If the above findings cannot be made, the Council shall deny the DRP.

The following is a discussion of the applicable development review criteria as they relate to the proposed project.

Relationship with Adjacent Land Uses:

The subject site is located within the Medium Residential (MR) Zone. The properties surrounding the site are also within the MR Zone as well as the Medium High Residential (MHR) Zone. The surrounding properties are developed with a mix of single- and multi-family residences. The project site is currently developed with a one-story, single-family residence.

The project, as designed, is consistent with permitted uses for the MR Zone. The property is designated Medium Density Residential in the General Plan and intended for single- and multi-family residential development within a density range of five to seven units per acre. The proposed development could be found to be consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the SROZ and within the Coastal Zone. The project has been evaluated, and could be found to be in conformance with the regulations of the SROZ, which are discussed further in this report. As a condition of project approval, the Applicants would be required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

Building Structure and Placement:

The site is currently developed with a one-story, single-family residence with an attached garage. The Applicants propose to remodel the existing single-story residence and construct a new 1,286 square foot second-story addition. The new second story will consist of 1,162 square feet of living area and a 124 square foot covered balcony. The balcony would be covered and enclosed on three sides and is, therefore, included in the floor area calculation.

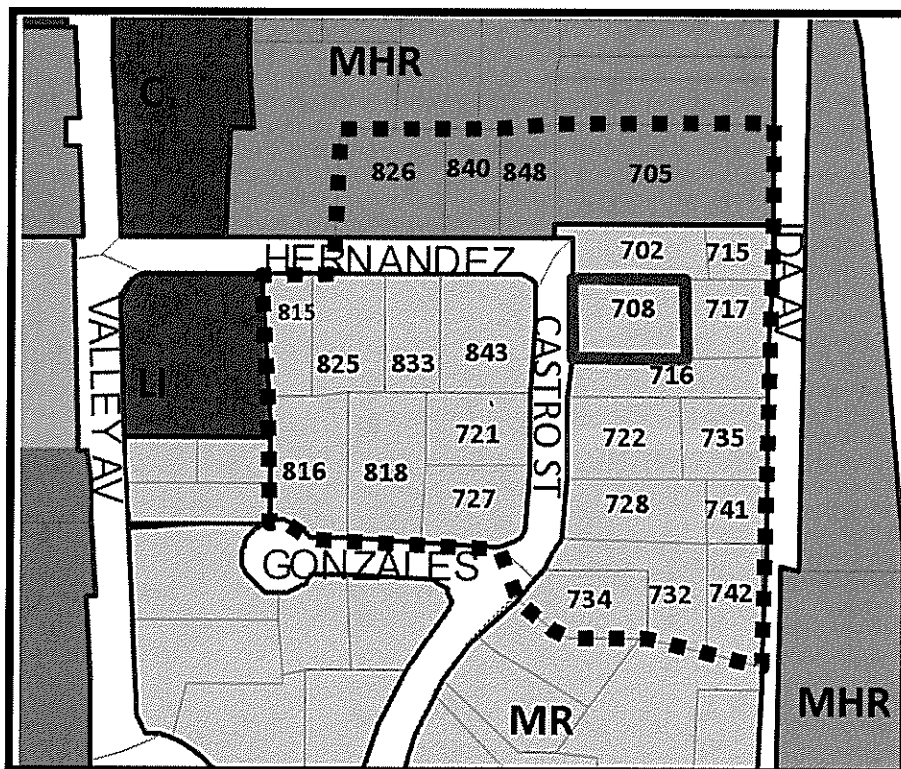
The new addition would be comprised of a new master suite, covered balcony area off the west side of the second story, powder room, and exercise room with an uncovered balcony off the east side of the addition. The Applicants are not proposing any other improvements to the site.

The MR Zone requires a 25 front yard setback, 5 foot side yard setbacks, and a 25 foot rear yard setback. The existing residence is currently setback 26 feet from the front property line, 10 feet from the northern side property line, 12 feet from the southern side property line, and 25 feet from the rear property line. The proposed addition will not change any of these setbacks.

As designed, the proposed project meets the minimum required setbacks and is below the maximum height limit and floor area for the property.

Neighborhood Comparison:

Staff compared the proposed project to 23 neighboring properties located within the surrounding area. This area included properties along Castro Street, Hernandez Street, Ida Avenue, and Gonzales Street as shown on the following map:



The properties in the comparison area are located within the MHR Zone, MR Zone and SROZ. The properties located within the MHR Zone have a maximum FAR allowance of 0.75. Properties located within the MR Zone and SROZ have a maximum FAR allowance that is calculated by using a tiered formula of 0.500 for the first 6,000 square

feet of lot area, 0.175 for the portion of the lot between 6,001 square feet up to 15,000 square feet, 0.100 for the portion of the lot between 15,001 square feet up to 20,000 square feet and 0.050 for the remainder of the lot.

The maximum allowable floor area for this 8,947 square foot lot is calculated as follows:

0.500 for the first 6,000 ft ² :	3,000 ft ²
0.175 for 6,001 to 15,000 ft ² :	516 ft ²
Maximum Allowable Floor Area:	3,516 ft²

The existing neighboring homes range in size from 570 square feet for a single-family residence at 715 Ida Avenue to 7,200 square feet for a multi-family development at 705 Ida Avenue, according to the County Assessor records. It should be noted that the County Assessor does not include the garage, phantom space or porch areas in their total square footage. Accordingly, the building area of the proposed project has been calculated for comparison purposes as follows:

Project Gross Building Area:	3,732 ft ²
Delete Covered Enclosed Patio:	- 36 ft ²
Delete Covered Enclosed Balcony:	- 124 ft ²
Delete Garage:	- 446 ft ²
Project Area for Comparison to the Assessor's Data:	3,126 ft²

Table 2, below, provides the data for each property including approximate lot size, existing building area on each lot, and the maximum allowable square footage for potential new development.

#	Property Address	Lot Size in ft ²	Existing ft ² Onsite	Proposed / Recently Approved ft ²	Max. Allowable ft ²	Zone
1	848 HERNANDEZ ST	7,900	2,766		5,925	MHR
2	826 HERNANDEZ ST	15,400	2,458		11,550	MHR
3	840 HERNANDEZ ST	7,800	1,917		5,850	MHR
4	843 HERNANDEZ ST	13,500	1,254		4,313	MR
5	721 CASTRO ST	9,300	1,614		3,578	MR
6	727 CASTRO ST	9,600	1,750		3,630	MR
7	818 GONZALES ST	13,300	1,364		4,278	MR
8	816 GONZALES ST	13,000	2,632		4,225	MR
9	833 HERNANDEZ ST	8,000	1,622		3,350	MR
10	825 HERNANDEZ ST	10,500	1,026		3,788	MR
11	815 HERNANDEZ ST	6,800	2,160		3,140	MR
12	705 IDA AVE	25,700	7,200		19,275	MHR
13	702 CASTRO ST	9,900	2,946		3,683	MR

Table 2						
#	Property Address	Lot Size in ft ²	Existing ft ² Onsite	Proposed / Recently Approved ft ²	Max. Allowable ft ²	Zone
14	715 IDA AVE	4,300	570		2,703	MR
15	716 CASTRO ST	9,900	1,192		3,683	MR
16	742 IDA AVE	9,100	761		3,543	MR
17	732 CASTRO ST	11,400	1,335		3,945	MR
18	734 CASTRO ST	9,100	3,375		3,543	MR
19	722 CASTRO ST	9,500	3,676		3,613	MR
20	735 IDA AVE	9,600	3,010		3,630	MR
21	708 CASTRO ST	8,947	1,950	3,126	3,516	MR
22	717 IDA AVE	9,400	3,124		3,595	MR
23	728 CASTRO ST	6,600	2,900		3,105	MR
24	741 IDA AVE	7,900	3,440		3,333	MR

Fences, Walls and Retaining Walls:

The Applicants are not proposing any new walls or fences as part of this project. All existing fences currently on the site will remain as is. If the Applicants decide to modify any of the proposed fences and walls or construct additional fences and walls on the project site, a condition of project approval indicates that they would be required to be in compliance with the municipal code.

Landscape:

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. The proposed project does not include any modifications to the existing landscape areas.

Parking:

SBMC Section 17.52.040 and the Off Street Parking Design Manual require two parking spaces for a single-family residence. The proposed floor plan shows an existing 446 square foot garage that would remain as part of this project and allow for two parking spaces that are 9' X 19' clear. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required, therefore, 400 square feet of garage area has been exempted from the FAR calculation for the project.

Grading:

No grading is proposed as part of this project.

Lighting:

A condition of project approval includes that all new exterior lighting fixtures comply with the City-Wide Lighting Regulations of the Zoning Ordinance (SBMC Section 17.60.060).

Usable Open Space:

The project consists of an addition to an existing one-story, 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:

The proposed addition to the existing structure exceeds 16 feet in height above the existing grade. Therefore, the project must comply with the requirements of the SBMC Chapter 17.63 View Assessment and the Applicants were required to complete the SDP process. The initial Story Pole Height Certification was certified by a licensed land surveyor on September 26, 2017 showing a maximum building height of 23.3 feet measured above the existing grade. Notices were mailed to property owners and occupants within 300 feet of the project site establishing a deadline to file for View Assessment by February 26, 2018. No applications for View Assessment were received. Therefore, if the Council is able to make the required findings to approve the DRP, the SDP would be approved administratively.

As a condition of approval, a height certificate prepared by a licensed land surveyor will be required prior to the framing inspection certifying that the maximum height of the proposed addition will not exceed 23.3 feet above the existing grade or 107.5 feet above Mean Sea Level (MSL), which is the maximum proposed structure height reflected on the project plans.

Public Hearing Notice:

Notice of the City Council Public Hearing for the project was published in the Union Tribune more than 10 days prior to the public hearing. The same public notice was mailed to property owners and occupants within 300 feet of the proposed project site on March 16, 2018. 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.

In conclusion, the proposed project, as conditioned, could be found to be consistent with the Zoning regulations and the General Plan.

CEQA COMPLIANCE STATEMENT:

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 consists of construction and location of limited number of new, small facilities or structures. Examples of this exemption include one single-family residence or second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

FISCAL IMPACT: N/A

WORK PLAN: N/A

OPTIONS:

- Approve Staff recommendation and adopt the attached Resolution 2018-025.
- Approve Staff recommendation subject to additional specific conditions necessary for the City Council to make all of the required findings for the approval of a DRP.
- Deny the project if all of the required findings for the DRP cannot be made.

DEPARTMENT RECOMMENDATION:

The proposed project meets the minimum objective requirements under the SBMC, is consistent with the General Plan and may be found, as conditioned, to meet the discretionary findings required as discussed in this report to approve a DRP and administratively issue a SDP. Therefore, Staff recommends that the City Council:

1. Conduct the Public Hearing: Open the Public Hearing, Report Council Disclosures, Receive Public Testimony, Close the Public Hearing;
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 15303 of the State CEQA Guidelines; and
3. If the City Council makes the requisite findings and approves the project, adopt Resolution 2018-025 conditionally approving a DRP and an administrative SDP to construct a new second-story addition to an existing one-story, single-family residence with an attached two car garage at 708 Castro Street.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2018-025
2. Project Plans

RESOLUTION NO. 2018-025

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONDITIONALLY APPROVING A DEVELOPMENT REVIEW PERMIT AND AN ADMINISTRATIVE STRUCTURE DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW SECOND STORY ADDITION TO AN EXISTING ONE-STORY, SINGLE-FAMILY RESIDENCE WITH AN ATTACHED TWO-CAR GARAGE AT 708 CASTRO STREET, SOLANA BEACH

**APPLICANTS: CASEY AND BEHFAR MITCHELL
CASE NO.: 17-17-12 DRP/SDP**

WHEREAS, Casey and Behfar Mitchell (hereinafter referred to as “Applicants”), have submitted an application for a Development Review Permit (DRP) and Structure Development Permit (SDP) pursuant to Title 17 (Zoning) of the Solana Beach Municipal Code (SBMC); and

WHEREAS, the public hearing was conducted pursuant to the provisions of Solana Beach Municipal Code Section 17.72.030; and

WHEREAS, at the public hearing on March 28, 2018, the City Council received and considered evidence concerning the proposed application; and

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

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

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

- I. That the foregoing recitations are true and correct.
- II. That the request for a DRP and a SDP to construct a new second floor addition to an existing one-story, single-family residence with an attached two-car garage, and perform associated site improvements at 708 Castro Street, is conditionally approved based upon the following Findings and subject to the following Conditions:
- III. FINDINGS
 - A. In accordance with Section 17.68.040 (Development Review Permit) of the City of Solana Beach Municipal Code, the City Council finds the following:

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

General Plan Consistency: The project, as conditioned, is consistent with the City's General Plan designation of Medium Density Residential, which allows for single- and multi-family residential development with a maximum density range of five to seven dwelling units per acre. The development is also consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

Zoning Ordinance Consistency: The project is consistent with all applicable requirements of the Zoning Ordinance (Title 17) (SBMC 17.20.030 and 17.48.040), which delineates maximum allowable Floor Area Ratio (FAR), Permitted Uses and Structures (SBMC Section 17.20.020) which provides for uses of the property for a single-family residence. Further, the project adheres to all property development regulations established for the Medium Residential (MR) Zone and cited by SBMC Section 17.020.030.

The project is consistent with the provisions for minimum yard dimensions (i.e., setbacks) and the maximum allowable Floor Area Ratio (FAR), maximum building height, and parking requirements.

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

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

The subject site is located within the Medium Residential (MR) Zone. The properties surrounding the site are also within the MR Zone as well as the Medium High Residential (MHR) Zone. The surrounding properties are developed with a mix of single- and multi-family residences. The project site is currently developed with a one-story, single-family residence.

The project, as designed, is consistent with permitted uses for the MR Zone. The property is designated Medium Density Residential in the General Plan and intended for single- and multi-family residential development within a density range of five to seven units per acre. The proposed development is consistent with the objectives of the General Plan as it encourages the development and maintenance of healthy residential neighborhoods, the stability of transitional neighborhoods, and the rehabilitation of deteriorated neighborhoods.

The property is not located within any of the City's Specific Plan areas; however, it is located within the boundaries of the SROZ and within the Coastal Zone. The project has been evaluated, and is in conformance with the regulations of the SROZ, which are discussed further in this report. As a condition of project approval, the Applicants are required to obtain a Coastal Development Permit, Waiver or Exemption from the California Coastal Commission prior to the issuance of a Building Permit.

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

The site is currently developed with a one-story, single-family residence with an attached garage. The Applicants propose to remodel the existing single-story residence and construct a new 1,286 square foot second-story addition. The new second story will consist of 1,162 square feet of living area and a 124 square foot covered balcony. The balcony would be covered and enclosed on three sides and is, therefore, included in the floor area calculation.

The new addition would be comprised of a new master suite, covered balcony area off the west side of the second story, powder room, and exercise room with an uncovered balcony off the east side of the addition. The Applicants are not proposing any other improvements to the site.

The MR Zone requires a 25 front yard setback, 5 foot side yard setbacks, and a 25 foot rear yard setback. The existing residence is currently setback 26 feet from the front property line, 10 feet from the northern side property line, 12 feet from the southern side property line, and 25 feet from the rear

property line. The proposed addition will not modify any of these setbacks.

As designed, the proposed project meets the minimum required setbacks and is below the maximum height limit and floor area for the property.

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

The project is not subject to the water efficient landscaping regulations of SBMC Chapter 17.56. According to SBMC Section 17.56.040, the regulations apply to modified irrigated landscaped areas that exceed 500 square feet. The proposed project does not include any modifications to the existing landscape areas.

- 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 parking spaces for a single-family residence. The proposed floor plan shows an existing 446 square foot garage that would remain as part of this project and allow for two parking spaces that are 9' X 19' clear. SBMC Section 17.08.030 indicates that required parking up to 200 square feet per parking space provided in a garage is exempt from the FAR calculation. Two spaces are required, therefore, 400 square feet of garage area is exempt from the FAR calculation for the project.

- 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.

No grading is proposed as part of this project.

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

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

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

The project consists of the construction of a replacement single-family residence with a detached garage on a developed residential lot, therefore, usable open space and recreational facilities are neither proposed nor required according to SBMC Section 17.20.040.

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

All required permits are being processed concurrently with the Development Review Permit.

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

The Applicants shall obtain approval from the California Coastal Commission prior to issuance of Building Permits.

IV. CONDITIONS

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

A. Community Development Department Conditions:

- I. The Applicants shall pay required Public Facilities Fees, as established by SBMC Section 17.72.020 and Resolution 1987-36.
- II. Building Permit plans must be in substantial conformance with the architectural plans presented to the City Council on March 28, 2018, and located in the project file with a submittal date of March 16, 2018.
- III. Prior to requesting a framing inspection, the Applicants shall be required to submit a height certification, signed by a licensed land surveyor, certifying that the building envelope (which is represented by the story poles) is in conformance with the plans as approved by the City Council on March 28, 2018 and the certified story pole plot plan, and will not exceed 23.3 feet in height from the existing grade or 107.5 feet above MSL.
- IV. Any proposed onsite fences, walls and retaining walls and any proposed railing located on top, or any combination thereof, shall comply with applicable regulations of SBMC Section 17.20.040 and 17.60.070 (Fences and Walls).
- V. The Applicants shall obtain required California Coastal Commission (CCC) approval of a Coastal Development Permit, Waiver or Exemption as determined necessary by the CCC, prior to the issuance of a grading or building permit.
- VI. 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. The Applicants shall comply with the current applicable water efficient landscape regulations of the Municipal Code Section 17.56 that are in place at the time of the Building Permit submittal.
- VIII. Any new exterior lighting fixtures shall be in conformance with the City-Wide Lighting Regulations of SBMC 17.60.060.
- IX. All light fixtures shall be appropriately shielded so that no light or glare is transmitted or reflected in such concentrated quantities or intensities that render them detrimental to the surrounding area.

B. Fire Department Conditions:

- I. OBSTRUCTION OF ROADWAYS DURING CONSTRUCTION: All roadways shall be a minimum of 24 feet in width during construction and maintained free and clear, including the parking of vehicles, in accordance with the California Fire Code and the Fire Department.
- II. ADDRESS NUMBERS: STREET NUMBERS: Approved numbers and/or addresses shall be placed on all new and existing buildings and at appropriate additional locations as to be plainly visible and legible from the street or roadway fronting the property from either direction of approach. Said numbers shall contrast with their background and shall meet the following minimum standards as to size: 4 inches high with a ½ inch stroke width for residential buildings, 8 inches high with a ½ inch stroke for commercial and multi-family residential buildings, and 12 inches high with a 1 inch stroke for industrial buildings. Additional numbers shall be required where deemed necessary by the Fire Marshal, such as rear access doors, building corners, and entrances to commercial centers.
- III. AUTOMATIC FIRE SPRINKLERS SYSTEM: ADDITIONS: An automatic sprinkler system installed in accordance with 903.3 may be required to be installed throughout structures when the addition is more than 50% of the existing building or when the altered building will exceed a fire flow of 1,500 gallons per minute as calculated per section 507.3. The fire code official may require an automatic sprinkler system be installed in buildings where no water main exists to provide the required fire flow or where a special hazard exists such as: poor access roads, grade, bluffs and canyon rims, hazardous brush and response times greater than 5 minutes by a fire department.
- IV. AUTOMATIC FIRE SPRINKLERS: REMODELS: An automatic sprinkler system installed in accordance with section 903.3 may be required if the scope of work includes significant modification to the interior of the dwelling or the roof of the building, and the cost of the installation does not exceed 15 percent of the construction costs of the remodel. This section is not intended to require fire sprinkler retrofits for maintenance or improvements of the infrastructure around the structure. Maintenance shall be defined for this section as the normal replacement of existing fixtures. Examples of maintenance work include items such as flooring, plumbing repairs or windows. Improvements required by legislation such as the Americans with Disabilities Act (ADA) do not require fire sprinkler protection under this section.
- V. SMOKE DETECTORS/CARBON MONOXIDE ALARMS/FIRE SPRINKLER SYSTEMS: Smoke detectors/carbon monoxide

alarms/fire sprinklers shall be inspected by the Solana Beach Fire Department.

VI. 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. 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.
- II. The Applicant shall prepare a City of Solana Beach Storm Water Checklist for Minor Projects to address potential water quality impacts to ensure that pollutants and runoff from this development are reduced to the maximum extent practicable.
- III. An Encroachment Maintenance Removal Agreement (EMRA) shall be recorded against this property for all private improvements in the Public Right-Of-Way.
- IV. Construction fencing shall be located on the subject property unless the Applicants have obtained an Encroachment Permit in accordance with Chapter 11.20 of the Solana Beach Municipal Code, which allows otherwise.

V. ENFORCEMENT

Pursuant to SBMC 17.72.120(B) failure to satisfy any and all of the above-mentioned conditions of approval is subject to the imposition of penalties as set forth in SBMC Chapters 1.1.6 and 1.18 in addition to any applicable revocation proceedings.

VI. EXPIRATION

The Development Review Permit for the project shall expire 24 months from the date of this Resolution, unless the Applicants have obtained building permits and have commenced construction prior to that date, and diligently pursued construction to completion. An extension of the application may be granted by the City Council according to SBMC 17.72.110.

VII. INDEMNIFICATION AGREEMENT

The Applicants shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any and all claims, actions, proceedings, damages, judgments, or costs, including attorney's fees, against the City or its agents, officers, or employees, relating to the issuance of this permit including, but not

limited to, any action to attack, set aside, void, challenge, or annul this development approval and any environmental document or decision. The City will promptly notify the Applicants of any claim, action, or proceeding. The City may elect to conduct its own defense, participate in its own defense, or obtain independent legal counsel in defense of any claim related to this indemnification. In the event of such election, the Applicants shall pay all of the costs related thereto, including without limitation reasonable attorney's fees and costs. In the event of a disagreement between the City and Applicants regarding litigation issues, the City shall have the authority to control the litigation and make litigation related decisions, including, but not limited to, settlement or other disposition of the matter. However, the Applicants shall not be required to pay or perform any settlement unless such settlement is approved by the Applicants.

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

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 28th day of March, 2018, by the following vote:

AYES: Councilmembers –

NOES: Councilmembers –

ABSENT: Councilmembers –

ABSTAIN: Councilmembers –

GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

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RESIDENTIAL REMODEL
 708 CASTRO STREET
 SOLANA BEACH, CA 92075

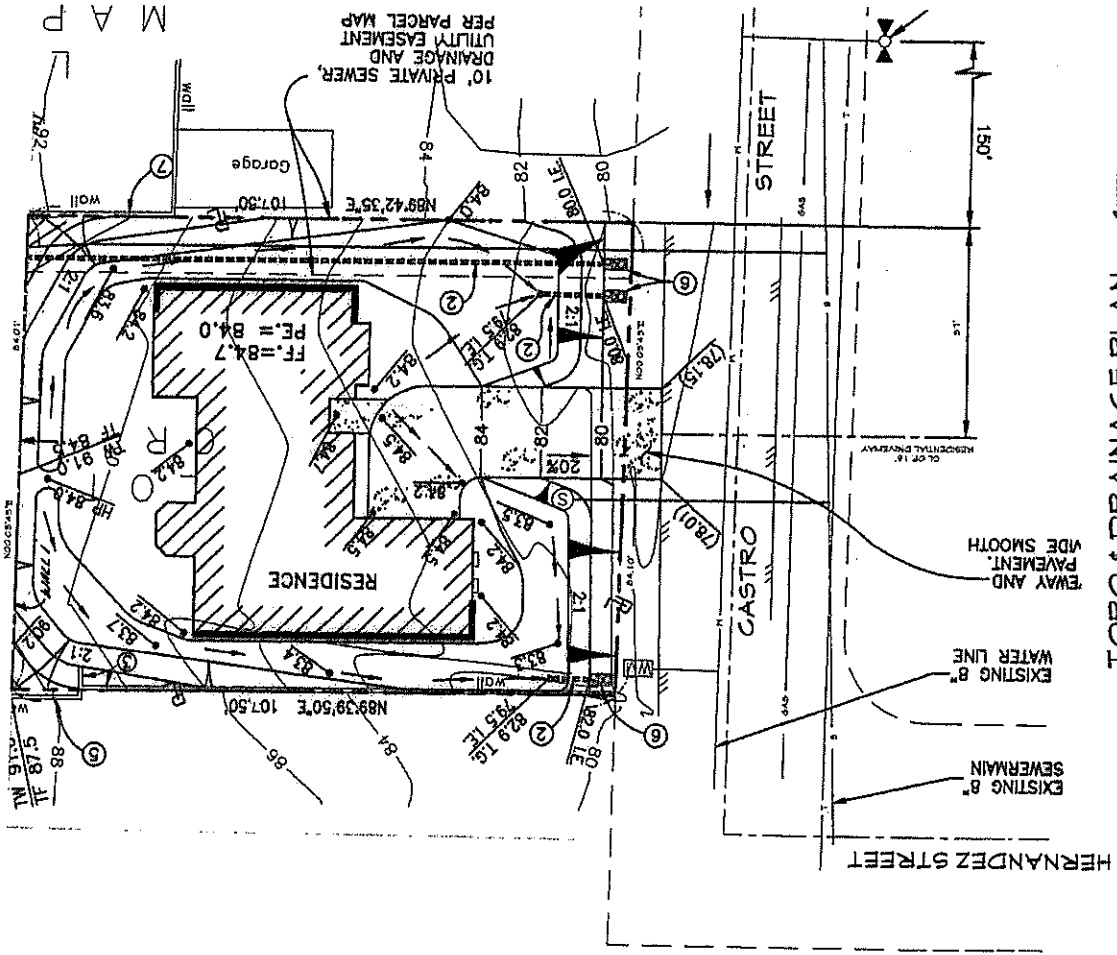
REVISIONS:
 02.28.11
 02.11
 10.3.11

DATE:
 12.1.10

SHEET TITLE:

TOPO
 DRAINAGE

A2



TOPO & DRAINAGE PLAN

SCALE: 1" = 10'

NO NEW GRADING FOR CUT, FILL, RESURFACING AND CURB FOOTINGS

← NORTH

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RESIDENTIAL ADDITION & REMODEL
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REVISIONS:
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 7/2/17
 8/2/17
 10/3/17

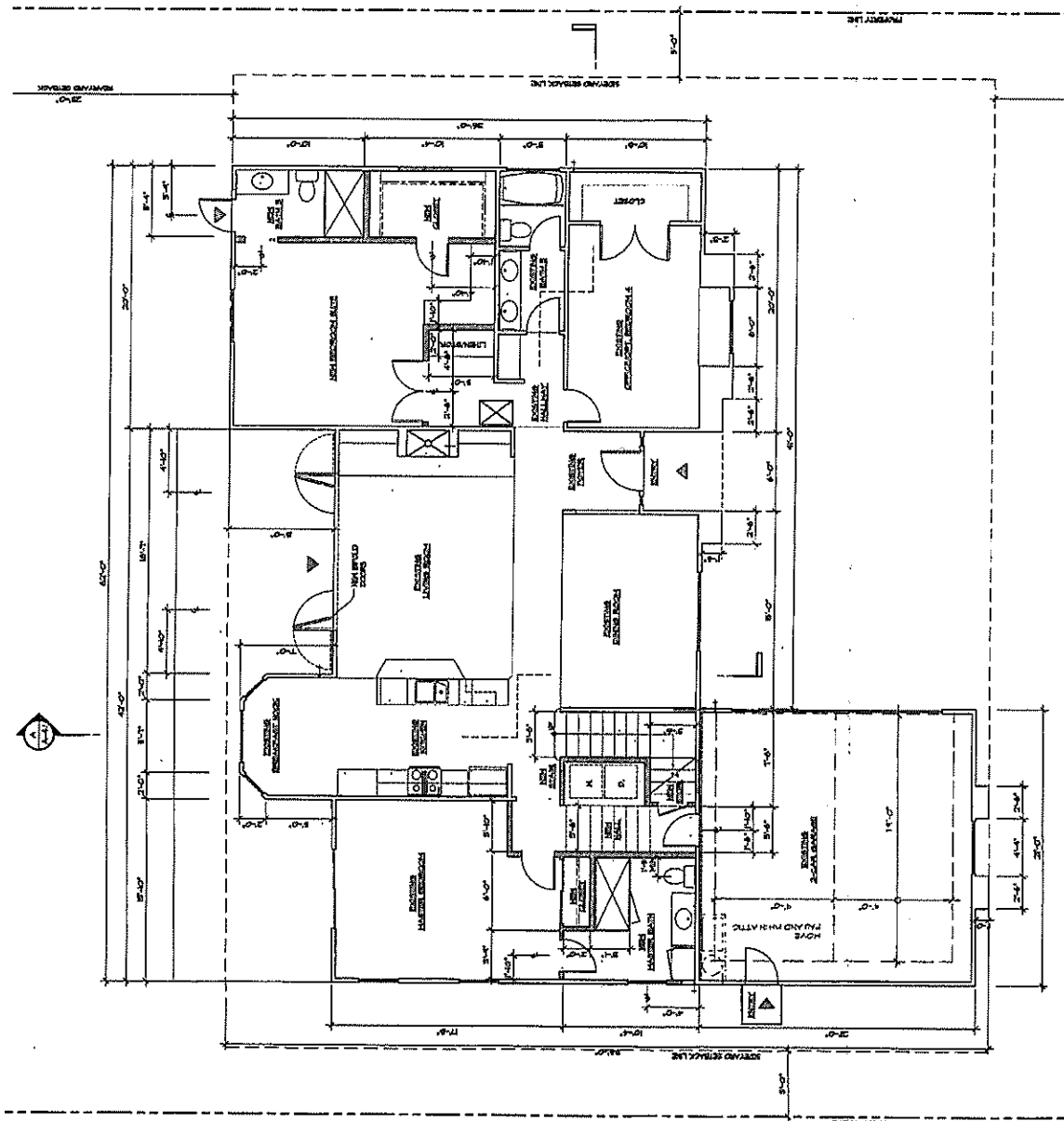
DATE:
 12/1/16

SHEET TITLE:
 FIRST FLOOR
 PLAN

A2.1

SYMBOL LEGEND	
N	NOT
E	EXISTING TO REMAIN
(1)	NEW DOOR SIZE (CIRCLE) EXIST. (SQUARE)
(A)	NEW WINDOW SIZE (CIRCLE) EXIST. (SQUARE)
(D)	POULICERS EXISTING ALUMINUM WINDOW OR DOOR TO BE COLORED ANODIZED AND FINISHED BY TRADE OR FINISHES SERVICE.
SL	SLAB
MB	MUR

WALL LEGEND	
(Solid line)	EXISTING WALL TO REMAIN
(Dashed line)	NEW WALL ON NEW STUD & W/ D.C. INTERIOR PARTITIONING. 2x4 CONSTRUCTION UNLESS OTHERWISE NOTED.
(Line with arrow)	NEW DOOR, UNLESS NOTED OTHERWISE. SEE PLAN FOR DOOR SIZES.
(Line with arrow and note)	EXISTING WALL EXPANSION TO FACE OF STUD OR CENTER LINE. SEE PLAN.



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"
 FIRST FLOOR AREA:
 1,844 SQ. FT.
 EXISTING FLOOR AREA:
 1,424 SQ. FT.
 NEW FLOOR AREA:
 420 SQ. FT.

CCRdesigns
 848 BRANDON DRIVE
 SAN DIEGO, CA 92114
 TEL: 619 590 1119
 FAX: 619 590 1118
 ccrdesigns@comcast.net
 ccrdesigns.com
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RESIDENTIAL ADDITION & REMODEL
 708 CASTRO STREET
 SOLANA BEACH, CA 92078

REVISIONS:
 2.11.15
 12.11.15
 12.11.15
 02.11.17
 10.21.17
 11.21.17

DATE:
 12.1.16

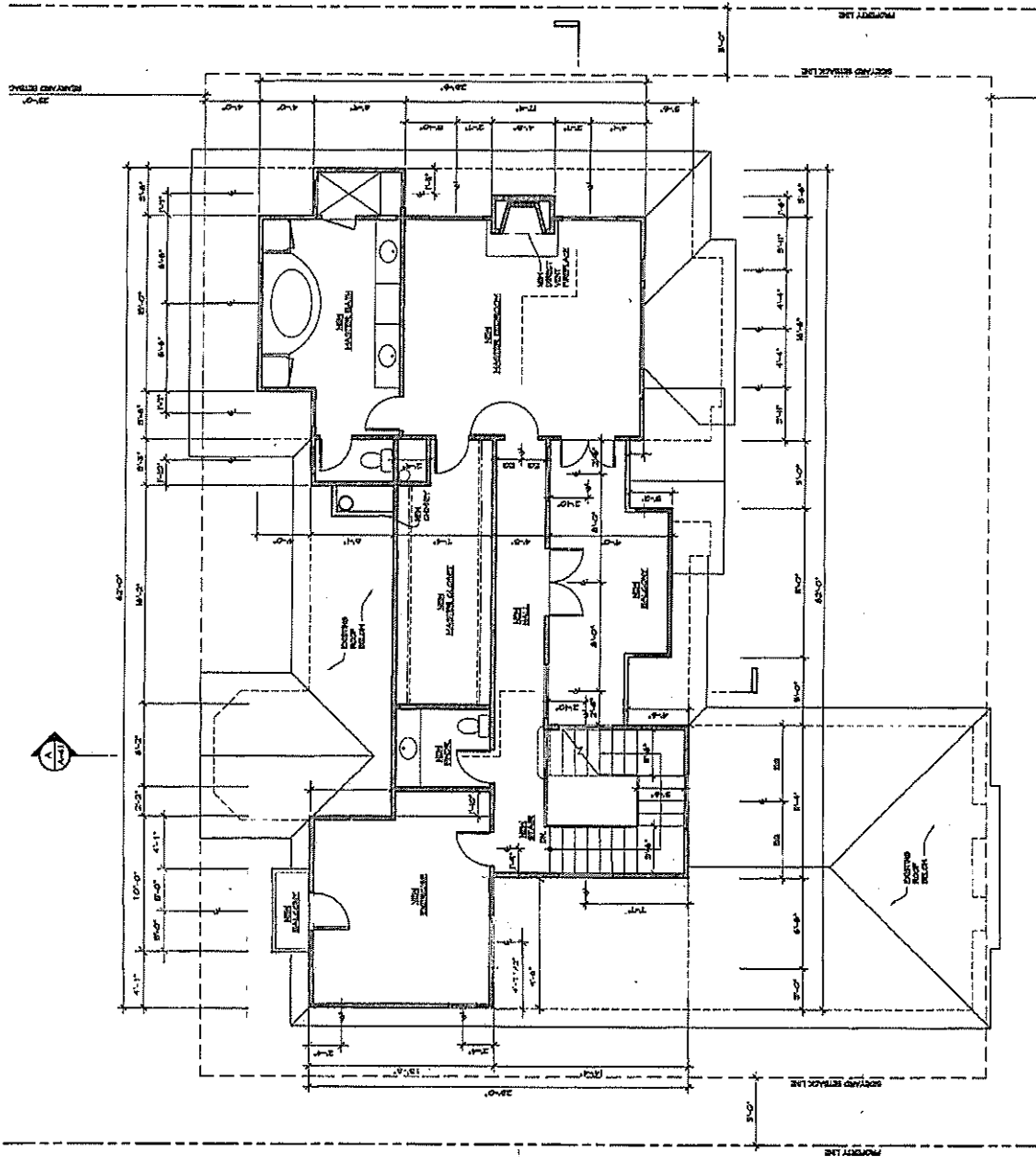
SHEET TITLE:
 SECOND FLOOR PLAN

SECOND FLOOR PLAN

A2.2

SYMBOL LEGEND	
N	NEW
E	EXISTING TO REMAIN
(1)	NEW DOOR (SEE SCHEDULE SHEET A-2)
(A)	NEW WINDOW (SEE SCHEDULE SHEET A-2)
(O)	ADDITION TO EXISTING WINDOW OR DOOR (SEE SCHEDULE SHEET A-2)
(S)	REPAIR OF EXISTING WINDOW SERVICE
EQ.	EQUIPMENT
+	FINISH

WALL LEGEND	
(Symbol: Dashed line)	EXISTING WALL TO REMAIN
(Symbol: Solid line)	NEW WALL OR WINDOW WITH 6" MIN. CONC. INTERIOR WALLS, 2" MIN. CONSTRUCTION AND 4" MIN. EXTERIOR FINISH.
(Symbol: Solid line with dots)	NEW DOOR SCHEDULED 4" FROM ADJACENT WALL (SEE SCHEDULE SHEET A-2)
(Symbol: Solid line with dots)	SEE PLAN FOR DOOR SIZES
(Symbol: Solid line with dots)	4" LOCK
(Symbol: Solid line with dots)	EXTERIOR WALL DIMENSIONS TO FACE OF EXTERIOR WALL
(Symbol: Solid line with dots)	INTERIOR WALL DIMENSIONS TO FACE OF STUD OR CENTER LINE



SECOND FLOOR PLAN

SCALE 1/4"=1'-0"

11/25/2017
 SECOND FLOOR ADDITION
 CONCORD BULLOCH AREA
 124-8077

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 SAN DIEGO, CA 92128
 PHONE: 619-594-1119
 FAX: 619-594-1118
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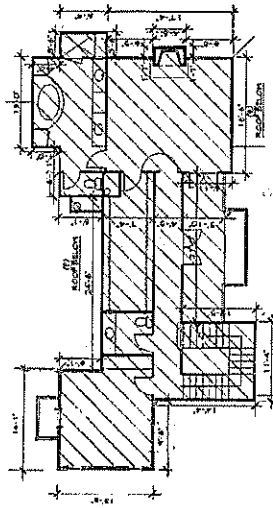
RESIDENTIAL ADDITION & REMODEL
 708 CASTRO STREET
 SOLANA BEACH, CA 92075

REVISIONS:
 02/11/11
 12/21/11
 08/11/11
 07/11/11
 02/11/11

DATE:
 SHEET TITLE:
 F.A.R.
 PLAN

A2.3

NOTHING SHALL BE CONSIDERED



ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED

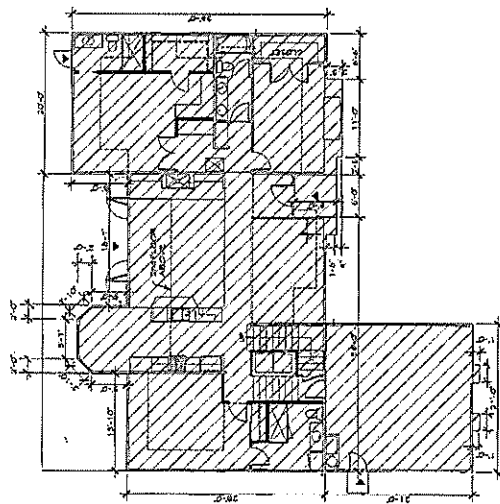
GROSS F.A.R. SECOND FLOOR PLAN

SECOND FLOOR AREA (EXTERIOR FACE OF STUD)	1544.64
SECOND FLOOR COVERED PATIO	1120.18 FT
COVERED PORCH	12.26
STAIR	12.26
TOTAL	2779.34

* ALL DIMENSIONS ARE MEASURED FROM THE EXTERIOR FINISHED WALL UNLESS NOTED

GROSS FLOOR AREA	1544.64
EXISTING FIRST FLOOR	1922.57
SECOND FLOOR ADDITION	1120.18
EXISTING GARAGE	744.57
GROSS TOTAL	5332.36
OFF-STREET PARKING (PER SECTION)	3,200.00
OFF-STREET PARKING (PER FLOOR PLAN)	3,200.00

FLOOR AREA (WATER FLOOR)	5332.36
EXISTING FIRST FLOOR	1922.57
SECOND FLOOR ADDITION	1120.18
EXISTING GARAGE	744.57
PROPOSED PROJECT FLOOR PLAN	3200.00



ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED

GROSS F.A.R. FIRST FLOOR PLAN

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

GROSS FIRST FLOOR AREA (EXTERIOR FACE OF STUD)	3100.17
COVERED PATIO (FRONT)	1120.18
COVERED PATIO (REAR)	1120.18
COVERED PORCH	12.26
STAIR	12.26
TOTAL	5475.95

* ALL DIMENSIONS ARE MEASURED FROM THE EXTERIOR FINISHED WALL UNLESS NOTED

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 619 435 1114
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 8/28/17

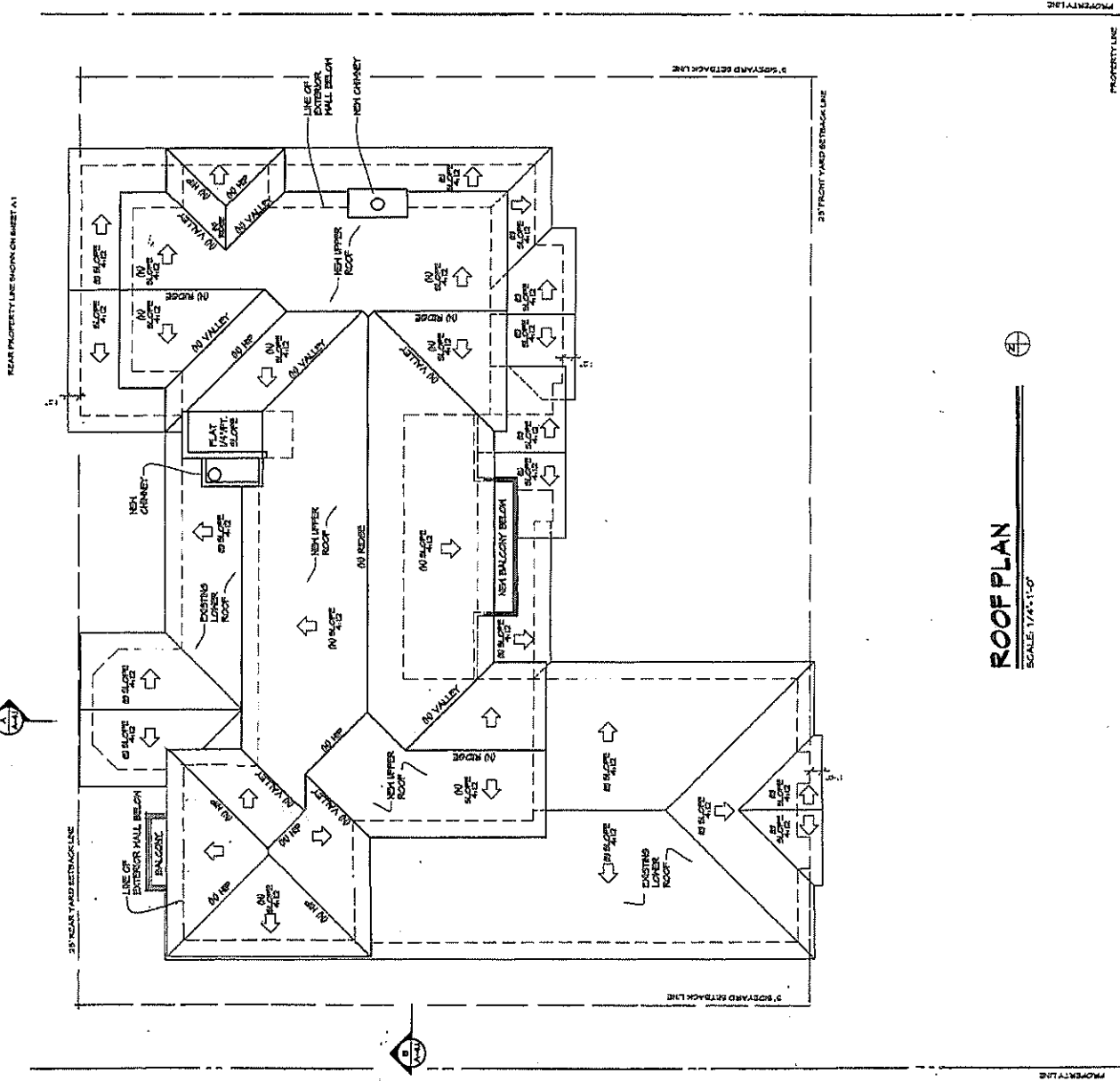
RESIDENTIAL ADDITION & REMODEL
 708 CASTRO STREET
 SOLANA BEACH, CA 92075

REVISIONS:
 0117
 0207
 0217
 0227
 10217

DATE:
 12/16

SHEET TITLE:
 ROOF PLAN

A2.6



ROOF PLAN
 SCALE 1/4"=1'-0"

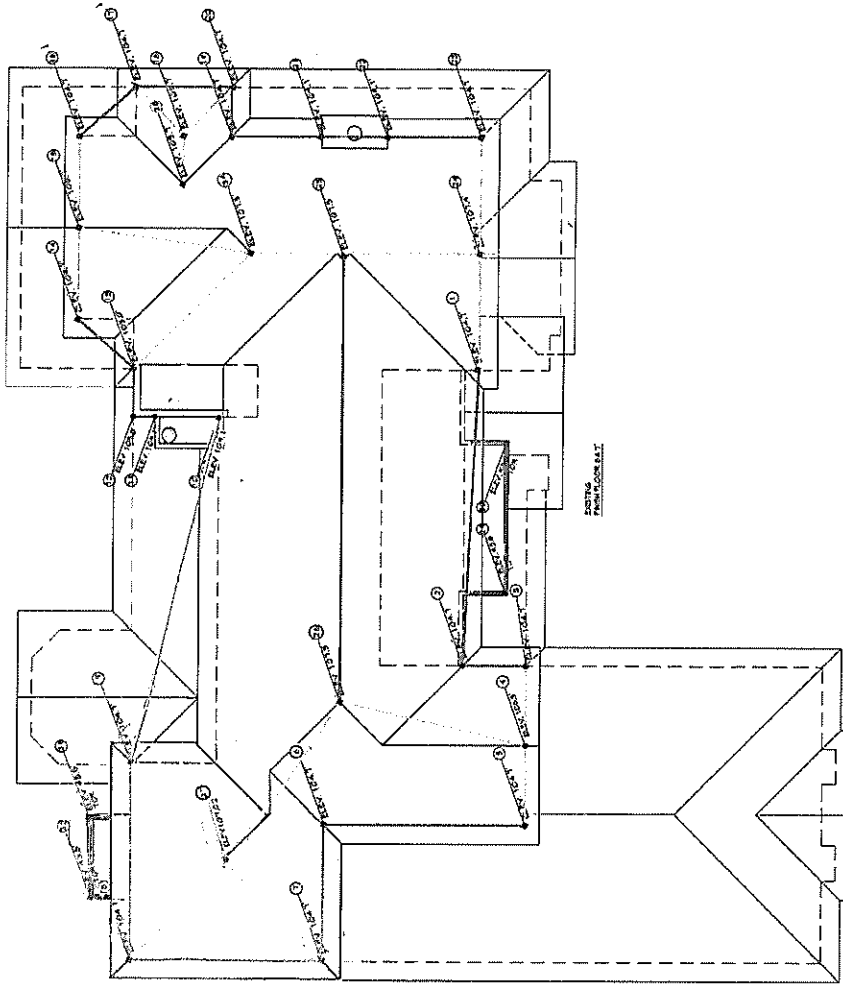
CCRD designs
RESIDENTIAL ARCHITECTURE
SAN DIEGO, CALIFORNIA
PHONE: 619.880.8115
WWW.CCRDDESIGNS.COM
1000 W. BROADWAY
SUITE 100
SAN DIEGO, CA 92101

RESIDENTIAL ADDITION & REMODEL
708 CASTRO STREET
SOLANA BEACH, CA 92078

REVISIONS:
1 12/11/11
2 02/17/12
3 04/22/12
4 06/28/12
5 11/21/12

DATE: 06/28/2012
SHEET TITLE:
STORY POLE
PLAN

A2.7



STORY POLE PLAN
SCALE 1/4"=1'-0"

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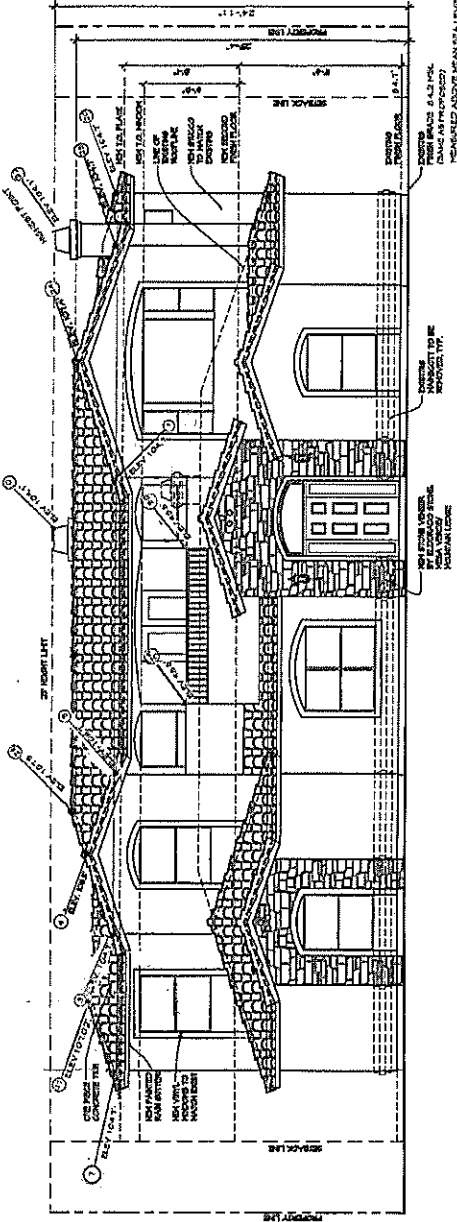
DESIGNER:
 S.D.S.
 6/26/17
 1/22/17
 1/23/17
 2/15/16

DATE:
 12.16

SHEET TITLE:

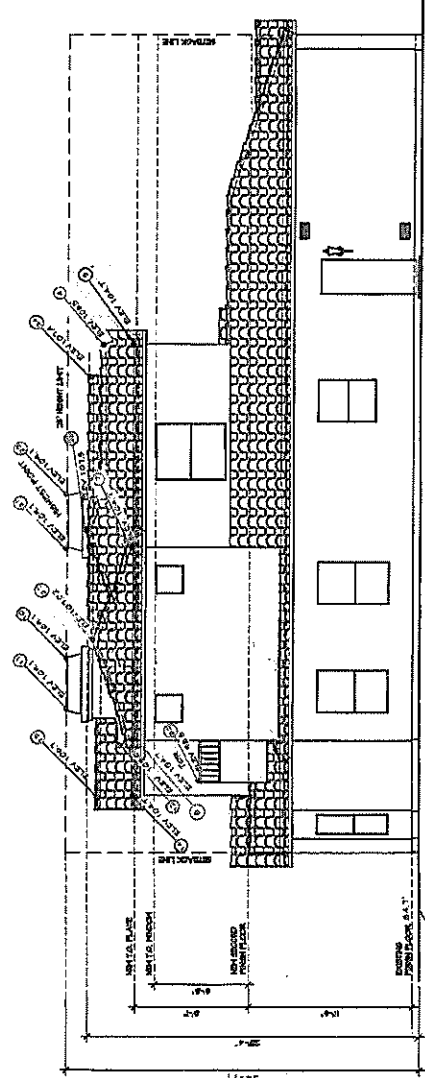
EXTERIOR
 ELEVATIONS

A3.1



WEST ELEVATION (FRONT)
 SCALE: 1/4"=1'-0"

BUILDING HEIGHT	6'0" (244.117)
EXISTING GRADE	64.3'
BUILDING HEIGHT	55'8" (234.7)
EXISTING GRADE	64.3'
TOP OF GRASSY	104.1'
OVERALL HEIGHT	244.117



NORTH ELEVATION
 SCALE: 1/4"=1'-0"

EXIST. ROOFING TO BE REMOVED AND RE-ROOFED WITH NEW ROOFING SYSTEM.

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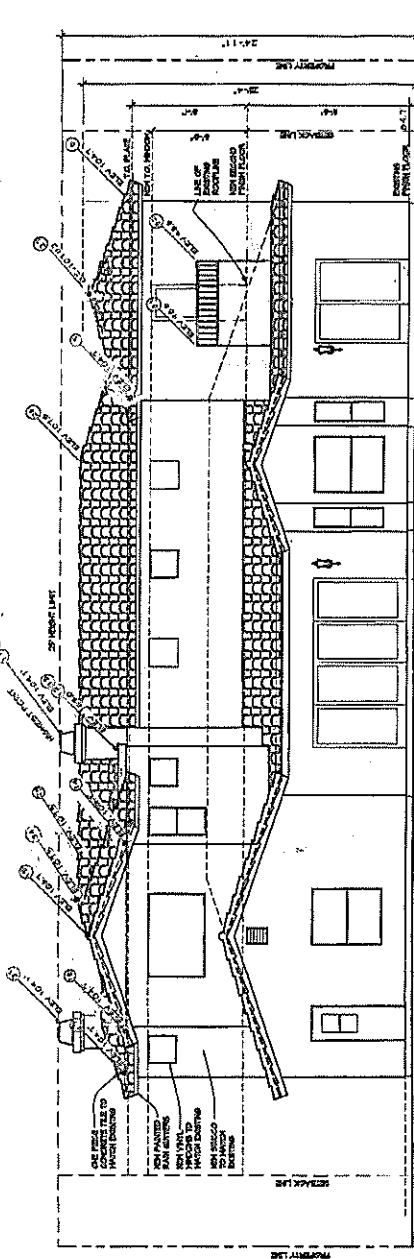
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 2. 05/11/17
 3. 05/11/17
 4. 05/11/17

DATE:
 05/11/17

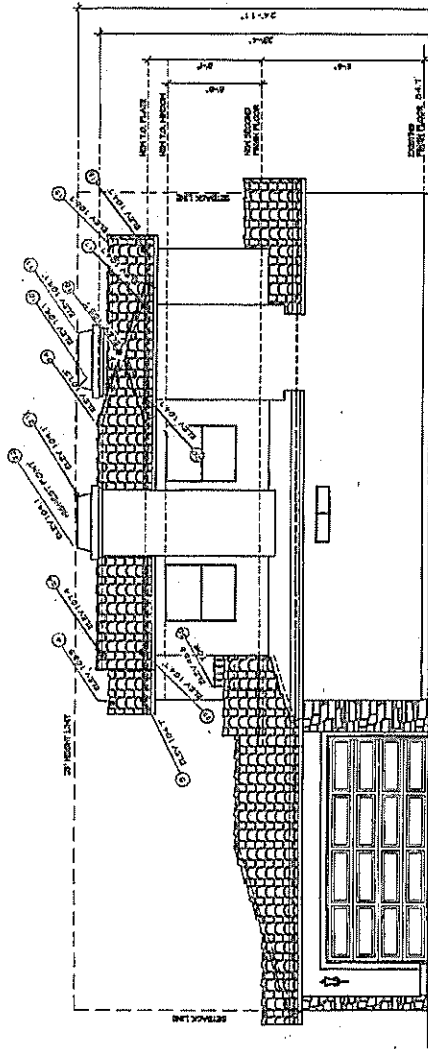
SHEET TITLE:
 EXTERIOR
 ELEVATIONS

A3.2



EAST ELEVATION (REAR)
 SCALE: 1/4\"/>

BUILDING HEIGHT	STORY FOLE HEIGHT	10'10"
EXISTING GRADE	64.2'	
BUILDING HEIGHT	28.3'(28'-4")	
EXISTING GRADE	64.2'	
TOP OF CHIMNEY	109.1'	
OVERALL HEIGHT	24.4'(24'-11")	



SOUTH ELEVATION
 SCALE: 1/4\"/>

MEASURED ABOVE MEAN SEA LEVEL (MSL)

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 SUITE 100
 HOUSTON, TX 77058
 281.460.1116
 ccrdesigns@ccrdesigns.com
 WWW.CCRDESIGNS.COM

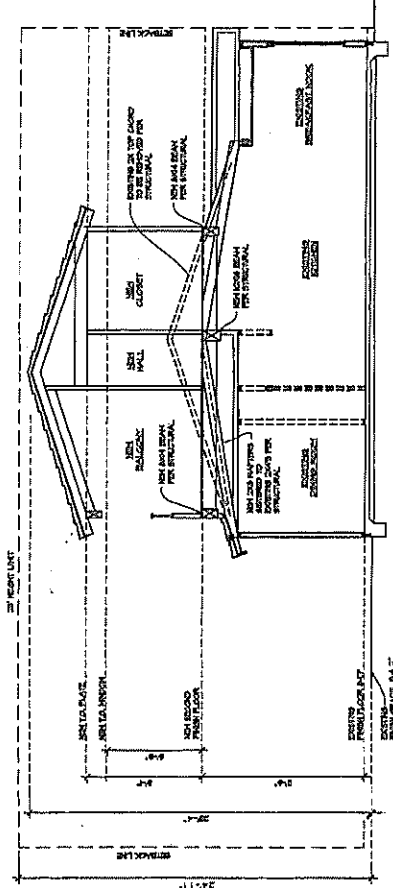
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 SOLANA BEACH, CA 92078

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 02/11
 12/11

DATE:
 12/16

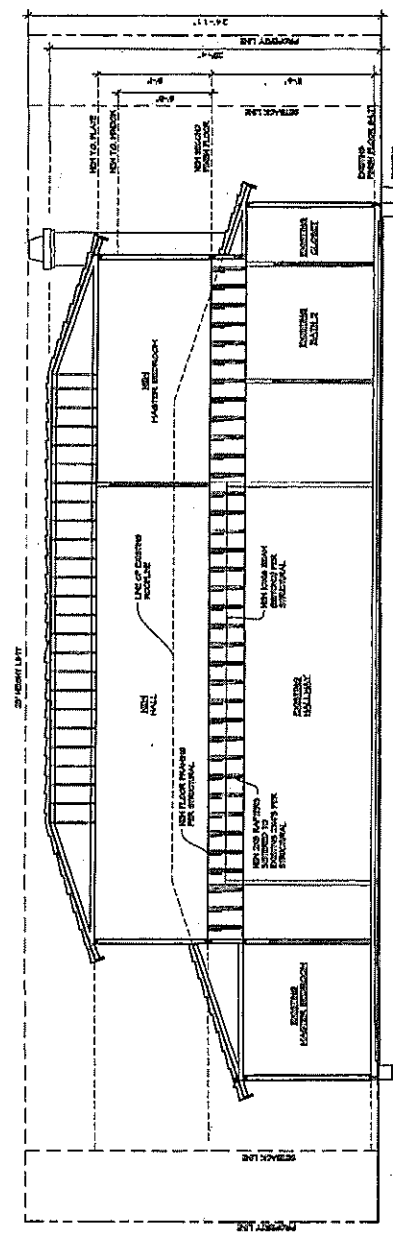
SHEET TITLE:

BUILDING SECTIONS
A4.1



BUILDING SECTION A
 SCALE: 1/4"=1'-0"

OVERALL HEIGHT	STORY POLE HEIGHT 101'S
	EXISTING GRADE 84.7
	BUILDING HEIGHT 98.5 (23'-4")
	EXISTING GRADE 84.7
	TOP OF CURB 104.1
	OVERALL HEIGHT 24.9 (24'-11")



BUILDING SECTION B
 SCALE: 1/4"=1'-0"

MEASUREMENTS ABOVE MEAN SEA LEVEL (MSL)

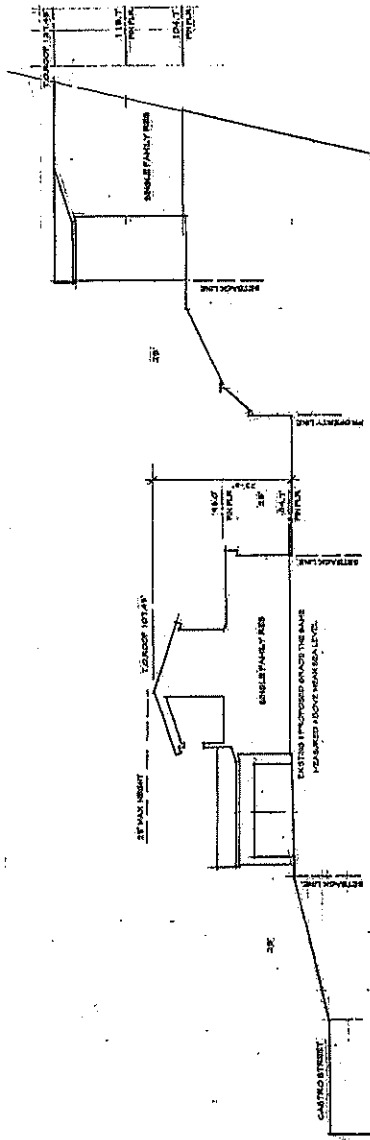
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 1008 BELLAIR DRIVE
 SAN DIEGO, CA 92104
 PHONE: 619.581.1119
 FAX: 619.581.1119
 WWW.CCRDESIGNS.COM
 ARCHITECTS
 REG. NO. 14149
 REG. DATE 11/11/09

RESIDENTIAL REMODEL
 708 CASTRO STREET
 SOLANA BEACH, CA 92075

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 6/26/17
 8/21/17
 9/21/17

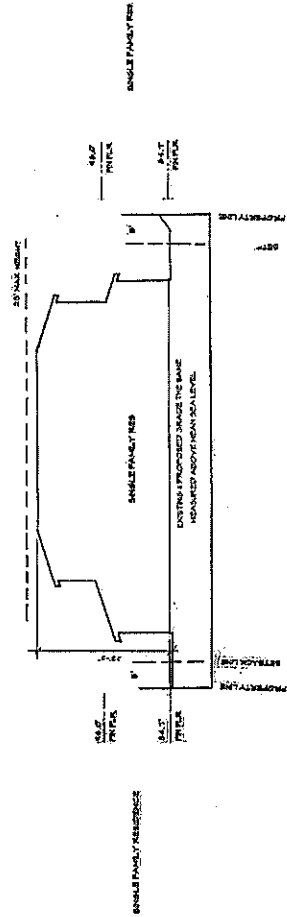
DATE:
 12/11/16
 SHEET TITLE:
 SITE SECTIONS

A4.2



SITE SECTION - C

SCALE 1/4" = 1'-0"



SITE SECTION - D

SCALE 1/4" = 1'-0"

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RESIDENTIAL ADDITX & REMODEL
708 CASTRO STREET
SOLANA BEACH, CA 92078

REVISIONS:
 10.11.11

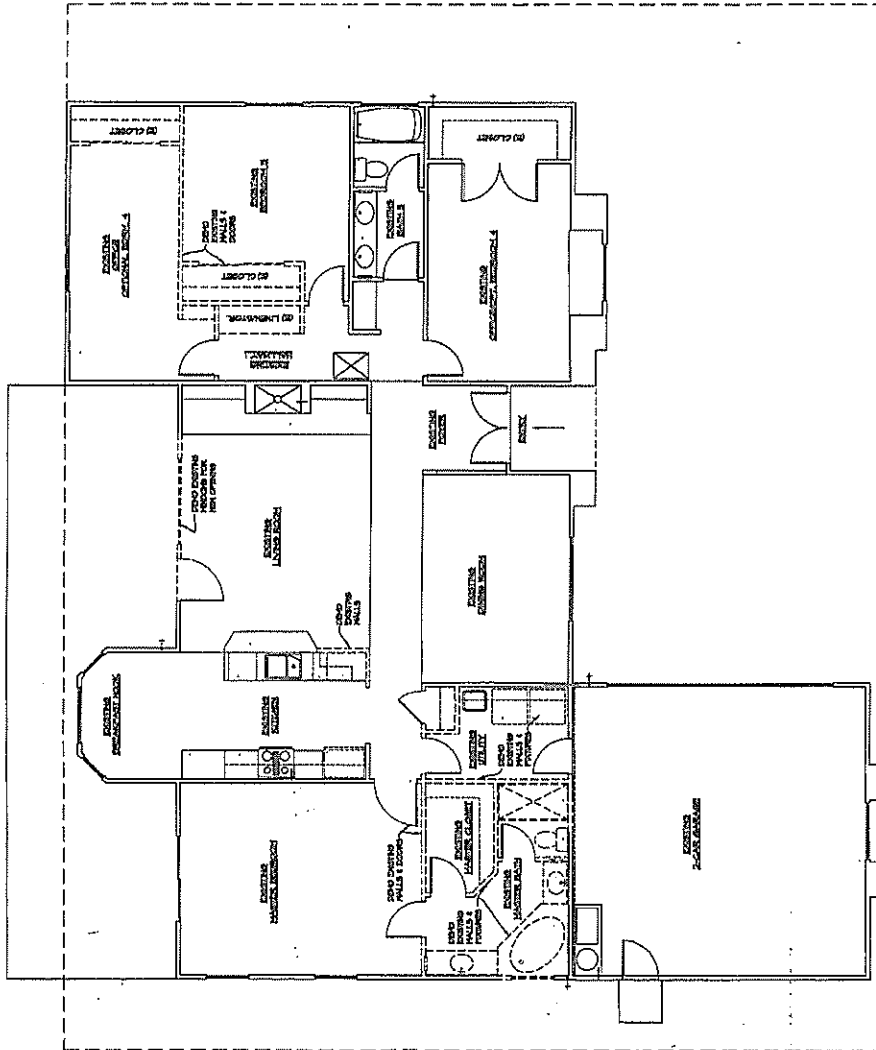
DATE:
 12.11.11

SHEET TITLE:
 DEMOLITION
 PLAN

D1.1

WALL LEGEND

- EXISTING WALL TO REMAIN
- - - - - EXISTING WALL TO BE REMOVED
- - - - - EXISTING DOOR TO REMOVED
- - - - - EXISTING WINDOW TO BE REMOVED
- - - - - ALL OTHER WALLS & PARTS REPRESENT
ADDITIONAL ITEMS TO BE REMOVED



EXISTING - DEMOLITION PLAN
 SCALE 1/4" = 1'-0"
 (North Arrow)



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: Community Development Department
SUBJECT: **Consideration of Resolution No. 2018-024 Approving the Housing Element Annual Progress Report and Housing Successor Annual Report for Fiscal Year 2016/17 and Directing Submittal to the California Department of Housing and Community Development and the Governor’s Office of Planning and Research**

BACKGROUND:

Government Code¹ Section 65400 requires that each city and county planning agency prepare an annual report on the status of the Housing Element and report on the progress of the implementation of the policies in the Housing Element, using the forms and definitions adopted by the California Department of Housing and Community Development (HCD). A required part of the Report is the Housing Successor Annual Report (Housing Successor Report). The annual reports are due by April 1st of each year. Senate Bill (SB) 375, as adopted and codified under Section 65400(a)(2)(B), requires that the annual report be considered at an annual public hearing before the City Council.

The Housing Element Annual Progress Report will be modified next year for the 2018 reporting period due to statutory changes enacted as part of the 2017 Legislative Housing Package passed by the state legislature, which included changes to the annual reporting requirements to provide data on local implementation including number of project application and approvals, processing times, and approval processes. HCD has not yet released its new report forms and has directed jurisdictions to use the existing annual report forms for the 2017 reporting period.

This issue before Council is to consider adoption of Resolution 2018-024 (Attachment 1) approving the Housing Element Annual Progress Report (Attachment 2) and Housing

¹ All references are to the California Government Code unless specified otherwise.

COUNCIL ACTION:

Successor Annual Report for Fiscal Year (FY) 2016/17 (Attachment 3) pursuant to California Health and Safety Code Section 34176.1(f), and directing Staff to submit the reports to HCD and the Governor's Office of Planning and Research, approving with modifications, or provide other direction to Staff.

DISCUSSION:

The Housing Element is an important planning policy document. It is used to identify the projected housing needs of the community and establishes policies to support the further development of all types of housing, including affordable housing, within the City.

All California municipalities are required to adopt a Housing Element as part of their General Plan. Distinct from the other General Plan elements, the Housing Element is subject to detailed statutory requirements and mandatory review by HCD.

The City Council adopted the City of Solana Beach Housing Element 2013-2020 and Negative Declaration by Resolution 2013-011 on February 13, 2013. The document was then submitted to HCD for certification. On March 4, 2013, HCD found the document in full compliance with State housing element law.

This progress report spans from January 1, 2017 through December 31, 2017 and includes statistics on the production of all housing types, including affordable housing, during the fifth cycle of the Regional Housing Needs Assessment (RHNA) for the San Diego Association of Governments (SANDAG), which began on January 1, 2010 and will end on December 31, 2020. The 2017 Housing Element Annual Progress Report contains the information required by state law and is included as Attachment 2.

Regional Housing Needs Assessment (RHNA) Progress Report:

On October 28, 2011, SANDAG adopted the RHNA allocations for each jurisdiction within the region for an 11 year cycle, beginning on January 1, 2010 and ending December 31, 2020. The RHNA allocation for all income categories for the City of Solana Beach is 340 units over this 11 year projection period.

As required by HCD, Attachment 2 identifies the number of dwelling units that were issued building permits from January 1, 2017 through December 31, 2017, based on income category. Table C reports annual progress and activities for each program contained in the City's 2013-2020 Housing Element.

During the first eight years of the current 2010-2020 RHNA cycle, a net total of 44 housing units were issued building permits, leaving a remainder of 296 units in the total RHNA allocation of 340 units for all income types. Of those 44 housing units, 17 were permitted during the 2017 reporting period, with two being Accessory Living Units (ALU) at 980 Avocado Place and 339 S Granados Avenue and three being Accessory Dwelling Units (ADU) at 526 Marvista Drive, 460 S Nardo Avenue, and 1104 Santa Rufina. A breakdown of the housing units by year is depicted on the table on the following page.

	2010	2011	2012	2013	2014	2015	2016	2017	Total
Demolished Dwelling Units	0	4	4	1	4	5	10	5	33
New Dwelling Units	4	10	5	2	9	9	16	22	77
Net Increase in Dwelling Units	4	6	1	1	5	4	6	17	44

For the current RHNA cycle, the number of permitted housing units by affordable category is as follows:

- The City’s total RHNA allocation for above moderate income units is 131 and 36 units in this category have been permitted.
- The total RHNA allocation for moderate income units is 59 and 3 moderate income units, which are Accessory Dwelling Units, have been permitted.
- The total RHNA allocation for low income units is 65 and 5 units have been permitted.
- The total RHNA allocation for very low income units is 85 and 0 units have been permitted.

Housing Element Cycle and Implementation Progress Report:

Table C in Attachment 2 provides an itemized status report on the 2013-2020 Housing Element Implementation for nineteen programs, which were adopted with the City’s Housing Element. These programs establish the policies of the City Council to encourage the construction of new affordable housing in Solana Beach, additional affordable housing opportunities using existing housing, and new housing in all income categories as identified in the RHNA and the Housing Element itself.

In compliance with Program 19 of the Housing Element, which identifies three City-owned sites in the Residential Land Inventory that are viable for affordable housing, the City Council authorized the City Manager to issue a Request for Proposals (RFP) for an affordable housing development opportunity at 635 S. Highway 101, Solana Beach at the March 14, 2018 Council Meeting.

Information on other City regulations, which serve to facilitate affordable housing in the community, is located at the public counter in City Hall. This includes information on the City’s density bonus and the City’s Inclusionary Affordable Housing and Accessory Dwelling Unit Ordinances.

The following project was approved by City Council in 2014 but has not yet received a building permit:

- 500 BLK S. Sierra Ave (mixed-use project netting in 10 very-low income units)

Several active development applications proposing an increase in housing units have been approved by City Council between January 1, 2016 and December 31, 2017, but have not been issued building permits. These include:

- 402 S Rios Ave (single family residence netting an increase in one ALU)
- 980 Avocado Place (seven lot subdivision netting six new lots, one ALU was permitted in 2017)
- 329 S Rios (one unit, vacant lot)
- 330 S Cedros Ave (mixed-use project netting eight units)
- 454 S Nardo Ave (two units, vacant lot)
- 360 N Granados Ave (one unit, vacant lot)
- 425 S Rios Ave (one ADU)

During 2017, the City issued final inspections for the construction of 9 single-family units. Six single-family dwelling units were demolished.

Staff experienced increased interest in affordable housing projects from potential project applicants in 2017 and held several meetings with prospective developers. The apartment complex with the greatest number of existing rental units in the City, Solana Highlands Apartments, submitted an application to the City to demolish 194 existing apartment units and three single-family dwelling units. In its place, 260 units, of which 32 would be affordable, are proposed. Should this project be approved and constructed as initially submitted, an additional 63 units would be counted towards the City's housing stock. Proposed project alternatives are currently being considered by the Applicants as the proposed project received a recommendation for denial by the View Assessment Commission on October 20, 2015.

In addition, Staff is reviewing an application for a tentative map, consisting of four existing parcels located at the 500 block of S. Nardo, in which the applicant is proposing a reconfiguration to allow for eight proposed parcels. The applicant is not proposing construction of dwelling units at this time. However, as part of this project the Applicant proposes to buy an existing dwelling unit in Solana Beach to be rented as an affordable dwelling unit to comply with the City's affordable housing requirements.

Housing Successor Annual Report

Senate Bill 341 (SB 341), which is codified in Health and Safety Code Section 34176.1 (Section 34176.1) and became effective on January 1, 2014, requires each housing successor that assumed the housing functions of a former redevelopment agency to post a report on its website that contains information regarding the low- and moderate-income housing asset fund (Fund) of the former redevelopment agency for the previous fiscal year. In this case, the City, as the housing successor (Housing Successor), is required to prepare and post the report.

In addition, the Housing Successor is required to conduct and provide to the Council an independent financial audit (Audit) of the Fund within six months of the end of the fiscal year. The Audit may be included as part of the City's independent financial audit.

The Housing Successor assumed the housing functions of the former Solana Beach Redevelopment Agency (RDA) on January 11, 2012. The transfer of the functions included the transfer of formerly designated RDA low- and moderate-income housing funds together with any funds generated by former RDA housing assets. The funds must be maintained by the City in the separate Fund and expended in accordance with Section 34176.1. Allowable expenditures include the development of affordable housing, monitoring and preservation of housing subject to affordability restrictions and covenants, and homeless prevention and rapid rehousing services for homeless individuals.

To ensure that the monies in the Fund are expended in accordance with the law, Section 34176.1(f) requires an independent financial audit of the Fund within six months of the end of the fiscal year. The independent audit of the City's Fund was included as part of the City's Comprehensive Annual Financial Report (CAFR) for FY 2016/17 prepared by Lance, Soli and Lunghard (LSL), the City's independent auditor.

SB 341 also requires annual reporting and website posting of a Housing Successor Report for the fiscal year related to the Fund. The Housing Successor Report for FY 2016/17 includes the following information:

- The Fund's balance for the fiscal year ending June 30, 2017 is 0. The \$161,317 balance as of June 30, 2016 and minor additional interest was entirely expended to meet an enforceable obligation to the Hitzke Development Corporation to be used for ten units of very low income multifamily housing (Hitzke Obligation) (\$158,525) and monitoring expenditures (\$3,194);
- The statutory value of assets owned by the Housing Successor consists only of the value of loans receivable from the Hitzke Obligation of \$601,310;
- The Fund does not have an "excess surplus" (the aggregate of unencumbered funds deposited into the Fund during the preceding four fiscal years).

After City Council approval, the Housing Successor Report (Attachment 3) will be posted on the City's website and submitted to HCD.

In conclusion, Staff recommends that the Council consider public testimony provided during the public hearing and consider approval of Resolution 2018-024 as contained in Attachment 1. Should the Council approve and adopt Resolution 2018-024, it is further recommended that the Council direct City Staff to submit the Housing Element Annual Progress Report and the 2016/17 Housing Successor Annual Report to HCD as required by state law.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

N/A

WORK PLAN:

Community Character – Land Use & Planning – Housing Element

OPTIONS:

- Approve Staff's recommendation to adopt the 2017 Annual Housing Element Progress Report and the 2016/17 Housing Successor Annual Report and adopt Resolution 2018-024 directing that the reports be submitted to HCD and the Governor's Office of Planning and Research.
- Approve the reports with modifications and adopt Resolution 2018-024 directing Staff to submit the report to HCD and the Governor's Office of Planning and Research.
- Provide other 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, Close the public hearing.
2. Find the project exempt from the California Environmental Quality Act pursuant to Section 21065 of the State CEQA Guidelines; and
3. Adopt Resolution 2018-024 approving the 2017 Housing Element Annual Progress Report and the 2016/17 Housing Successor Annual Report as submitted and directing City Staff to file the report with the California Department of Housing and Community Development and the Governor's Office of Planning and Research.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2018-024
2. 2017 Annual Housing Element Progress Report
3. 2016/17 Housing Successor Annual Report

RESOLUTION 2018-024

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING THE 2017 HOUSING ELEMENT PROGRESS REPORT AND THE HOUSING SUCCESSOR ANNUAL REPORT FOR FISCAL YEAR 2016/17 AND DIRECTING SUBMITTAL TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, on February 13, 2013 the City Council adopted the City of Solana Beach 2013-2020 Housing Element by Resolution 2013-011; and

WHEREAS, the Housing Element is an important planning tool for the City of Solana Beach in meeting the housing needs of the community. It establishes an action plan to meet these needs pursuant to Government Code Section 65302(c) which sets forth the specific components to be contained in a community's housing element; and

WHEREAS, on October 28, 2011, the San Diego Association of Governments adopted a plan for the Regional Housing Needs Assessment (RHNA) allocating regional housing needs for the fifth RHNA cycle beginning January 1, 2010 and extending to December 31, 2020 to include adoption of Table B located within Attachment 1; and

WHEREAS, the City is required to submit to the California Department of Housing and Community Development (HCD) by April 1, 2018, the 2017 Annual Housing Element Progress Report (Housing Element Report); and

WHEREAS, the Housing Successor Annual Report for Fiscal Year 2016/17 is required by Health & Safety Code Section 34176.1(f) to be submitted to HCD with the Housing Element Report; and

WHEREAS, on March 28, 2018, the City Council held a duly noticed public hearing to consider the 2017 Annual Housing Element Progress Report and the Housing Successor Annual Report as required under Government Code Section 65400(a)(2)(B); and

WHEREAS, City Staff presented the 2017 Annual Housing Element Progress Report, including information on the Housing Element Implementation and Annual Building Activity Report for the first eight years of the RHNA reporting period including January 1, 2010 through December 31, 2017 at the March 28, 2018 meeting; and

WHEREAS, the public hearing was conducted to take public testimony on the progress report as required by Government Code Section 65400(a)(2)(B); and

WHEREAS, the City Council found the proposed action is not a project, and is

therefore exempt from the California Environmental Quality Act; and

WHEREAS, this decision is based upon the information presented in the Staff Report, the public testimony and any additional evidence presented at the public hearing.

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. The 2017 Annual Housing Element Progress Report and the 2016/17 Housing Successor Annual Report are approved.
3. City Staff is directed to submit and file the 2017 Annual Housing Element Progress Report and the 2016/17 Housing Successor Annual Report with the State Department of Housing and Community Development Department, and also the Governor's Office of Planning and Research.

PASSED AND ADOPTED this 28th day of March, 2018, 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 –

GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

Table A

Annual Building Activity Report Summary - New Construction
Very Low-, Low-, and Mixed-Income Multifamily Projects

1	2	3	4				5	5a	6		7	8	
			Housing Development Information						Housing with Financial Assistance and/or Deed Restrictions				Housing without Financial Assistance or Deed Restrictions
			Project Identifier (may be APN No., project name or address)	Unit Category	Tenure R=Renter O=Owner	Affordability by Household Incomes			Total Units per Project	Est. # Infill Units*			Assistance Programs for Each Development
Very Low-Income	Low-Income	Moderate-Income				Above Moderate-Income							
980 Avocado Pl	SU	R		1			1		See Instructions	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.		
339 S Granados Ave	SU	R		1			1		See Instructions	Deed Restricted Units	Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions.		
(9) Total of Moderate and Above Moderate from Table A3											0		
(10) Total by income Table A/A3											2		
(11) Total Extremely Low-Income Units*													

* Note: These fields are voluntary

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation (CCR Title 25 §6202)

Jurisdiction: City of Solana Beach
Reporting Period: 1/1/2017 - 12/31/2017

**Table A2
Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

Activity Type	Affordability by Household Incomes				(4) The Description should adequately document how each unit complies with subsection (c) (7) of Government Code Section 65583.1
	Extremely Low-Income*	Very Low-Income	Low-Income	TOTAL UNITS	
(1) Rehabilitation Activity				0	
(2) Preservation of Units At-Risk				0	
(3) Acquisition of Units				0	
(5) Total Units by Income	0	0	0	0	

* Note: This field is voluntary

**Table A3
Annual building Activity Report Summary for Above Moderate-Income Units
(not including those units reported on Table A)**

	1. Single Family	2. 2 - 4 Units	3. 5+ Units	4. Second Unit	5. Mobile Homes	6. Total	7. Number of infill units*
No. of Units Permitted for Moderate						0	
No. of Units Permitted for Above Moderate						0	

* Note: This field is voluntary

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

Table B

Regional Housing Needs Allocation Progress

Permitted Units Issued by Affordability

Income Level	RHNA Allocation by Income Level	2010	2011	2012	2013	2014	2015	2016	2017	2018	Total Units to Date (all years)	Total Remaining RHNA by Income Level
		Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7	Year 8	Year 9		
Very Low	Deed											85
	Restricted Non-deed restricted											
Low	Deed	1					1	1	2		5	60
	Restricted Non-deed restricted											
Moderate	Deed											56
	Restricted Non-deed restricted								3		3	
Above Moderate		3	6	1	1	5	3	5	12		36	95
Total RHNA by COG. Enter allocation number:		4	6	1	1	5	4	6	17		44	296
Total Units												
Remaining Need for RHNA Period												

Notes: units serving extremely low-income households are included in the very low-income permitted units totals.
Note: Non-deed restricted moderate units include ADUs

ANNUAL ELEMENT PROGRESS REPORT Housing Element Implementation

(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

**Table C
Program Implementation Status**

Program Description (By Housing Element Program Names)	Objective	Timeframe in H.E.	Status of Program Implementation
Encourage Mixed Use Development	Program 1: ABCD, inventory sites and initiate planning, encourage mixed use, look for funding.	ongoing	One mixed-use project netting in 8 dwelling units was approved in December 2016.
Encourage Accessory Living Units	Program 2: Distribute information, evaluate progress, monitor standards and process.	ongoing	Ordinance 470 was adopted on November 9, 2016 which amended the municipal code to comply with Senate Bill (SB) 1069 and Assembly Bill (AB) 2299 related to accessory dwelling units. The provisions for accessory living units were removed from the municipal code as they were no longer consistent with the provisions of SB 1069 and AB 2299.
Density Bonus Program	Program 3: Develop handout.	Within 12 to 18 months	A handout has been developed and is available at the front counter and on the city website.
Affordable (Inclusionary) Housing Program	Program 4: Enforce ordinance and utilize impact fees for affordable projects.	ongoing	Inclusionary provisions of Municipal Code modified to adopt new Affordable Housing Impact Fee; adopted March 23, 2011. One mixed-use project netting in 8 dwelling units approved in 2016 was subject to the impact fee.
Replacement Housing	Program 5: Replace ten very low income units.	By the end of the planning period	One mixed-use application consisting of 10 very low-income units on city-owned land was approved in 2014 and received a time extension in December 2015. On August 24, 2016 the City Council conducted a public hearing under the Tax and Equity Fiscal Responsibility Act (TEFRA) and approved the use of tax exempt bonds for the financing of the project.

ANNUAL ELEMENT PROGRESS REPORT *Housing Element Implementation*

(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

<p>Address and Mitigate Constraints to Housing Development</p>	<p>Program 6: A. Monitor Inclusionary Program; B. Monitor permit processing; C. Provide public education on affordable housing; D. Amend zoning for SB2 requirements, delineate residential care facilities, revise reasonable accommodation procedures; E. Clarify SROs, hold low-income workshops for developers, apply for funding, establish reduced fee for low-income projects; F. Provide Housing Element to water authority and adopt priority sewer service for affordable housing; G. Ensure Housing Element is consistent with General Plan and other regulations and procedures; and H. Ensure compliance with Employee Housing Act.</p>	<p>A-C: ongoing; D & E: within 1 year, during cycle, and ongoing; F: immediately; G: on-going; H: within 1 year</p>	<p>A. Staff discusses the inclusionary program with all applicants proposing 5 or more units and any interested party; B. Residential permit process review ongoing; C. Educational information regarding affordable housing was posted on the website; D. Ordinance 445 amending zoning was adopted 2/12/14; E. SRO's were clarified in zoning; F. Housing Element was sent to the Water Authority; G. Consistency review is ongoing; H. Employee Housing Act has been reviewed for compliance.</p>
<p>Emergency Shelter Housing Site Identification</p>	<p>Program 7: Amend zoning to allow for emergency shelters outright in General Commercial zone with development standards.</p>	<p>Within 1 year</p>	<p>Zoning ordinance amending emergency shelters outright in General Commercial and permitting them in the Public/Institutional zone with a Director's Use Permit with development standards was adopted February 12, 2014.</p>
<p>Illegal Unit Conversion</p>	<p>Program 8: Research feasibility of implementing an amnesty program.</p>	<p>Within 4 years</p>	<p>No applications for conversion have been received.</p>
<p>Preserve At-Risk Units</p>	<p>Program 9: Monitor determination by private property owners to place affordable units at risk.</p>	<p>Ongoing, prior to 2019 conversion date</p>	<p>Received project application for Solana Highlands in 2014 with 32 affordable units, which will replace units previously monitored by the County of San Diego. The expiration date for these affordable units was 2011 and 18 units currently remain.</p>
<p>Section 8 Rental Assistance</p>	<p>Program 10: Work with County to administer program and assist developers to apply for program.</p>	<p>Ongoing</p>	<p>Continued to coordinate with County HCD to implement and administer Section 8 Rental Assistance.</p>
<p>Capital Improvements Program</p>	<p>Program 11: Prepare and adopt capital improvements to repair and maintain public facilities.</p>	<p>Ongoing</p>	<p>Continued to implement City's CIP program, annual budget adopted each year.</p>

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

Condominium Conversion Policy	Program 12: Consider requests for the conversion of existing rental property when vacancy rate exceeds 6 percent.	Ongoing	No applications for conversion have been received.
Residential Code Enforcement	Program 13: Identify housing complaints by type, action, and results. Translate complaint form into Spanish.	Ongoing, 6 months to 1 year	A code action data base for housing complaints is routinely maintained and the complaint form is available in Spanish.
Residential Rehabilitation	Program 14: Provide information on County Services /HCD programs	Ongoing	City staff provides this information to the public.
Mortgage Credit Certificate (MCC)	Program 15: Distribute information	Ongoing	No applications have been received, MCC handout distributed at City Counter.
Distribute Fair Housing Information	Program 16: Continue to participate in the Fair Housing Council Program and distribute information, refer questions and claims to FHCSO.	Ongoing	The City distributes brochures at the Library and City Hall and participates in Fair Housing Council. No complaints received or referred to FHC during 2016.
Energy Conservation	Program 17: Complete the development of the energy efficiency program.	During Housing Cycle	The City implemented the PACE program in winter 2014 and continues to identify areas and programs for reducing energy use in the development of the Climate Action Plan.
Public Participation	Program 18: Keep track of noticing and identify and implement effective communication strategies.	On-going	The City maintains all notices provided to the public and mails, Eblast, places information on the City website and Facebook, and has used surveys to obtain feedback and information.
Affordable Housing on City Owned Property	Program 19: Issue RFPs to develop affordable housing on City-owned sites (sites 3 & 4).	Site 3 in the 4th year and site 5 in the fifth year cycle	The City released one RFP for Site 3 (City Hall Parking Lot). Another RFP will be prepared and released in year 5 (2018) for Site 4 (Distillery Parking Lot).

ANNUAL ELEMENT PROGRESS REPORT
Housing Element Implementation
(CCR Title 25 §6202)

Jurisdiction City of Solana Beach
Reporting Period 1/1/2017 - 12/31/2017

General Comments:

**HOUSING SUCCESSOR ANNUAL REPORT
REGARDING THE LOW AND MODERATE INCOME HOUSING ASSET FUND
FOR FISCAL YEAR 2016-17 PURSUANT TO
CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f) FOR THE
CITY OF SOLANA BEACH, HOUSING SUCCESSOR TO THE FORMER SOLANA BEACH
REDEVELOPMENT AGENCY**

This Housing Successor Annual Report (Report) regarding the Low and Moderate Income Housing Asset Fund (LMIHAF) has been prepared pursuant to California Health and Safety Code Section 34176.1(f). This Report sets forth certain details of the activities of the City of Solana Beach, acting in its capacity as housing successor to the former Solana Beach Redevelopment Agency (Housing Successor), during Fiscal Year 2016-17 (Fiscal Year). The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 (Dissolution Law).

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund for Fiscal Year 2016-17 (Fiscal Year) dated November 24, 2017 and prepared by LSL CPAs and Advisors (Audit), which Audit is separate from this annual summary Report; further, this Report conforms with and is organized into sections I. through XI., inclusive, pursuant to Section 34176.1(f) of the Dissolution Law:

I. Amount Deposited into LMIHAF: This section provides the total amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule (ROPS) must be distinguished from the other amounts deposited.

II. Ending Balance of LMIHAF: This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.

III. Description of Expenditures from LMIHAF: This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized.

IV. Statutory Value of Assets Owned by Housing Successor: This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.

V. Description of Transfers: This section describes transfers, if any, to another housing successor agency made in previous Fiscal Year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.

VI. Project Descriptions: This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.

VII. Status of Compliance with Section 33334.16: This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the Former Agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.

VIII. Description of Outstanding Obligations under Section 33413: This section describes the outstanding inclusionary and replacement housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former Solana Beach Redevelopment Agency (Former Agency) as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the Former Agency and how the Housing Successor plans to meet unmet obligations, if any.

IX. Income Test: This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for five year period, with the time period beginning January 1, 2014 and whether the statutory thresholds have been met. However, reporting of the Income Test is not required until 2019.

X. Senior Housing Test: This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, the Former Agency, and the City of Solana Beach within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, the Former Agency, and the City of Solana Beach within the same time period. For this Report the ten-year period reviewed is January 1, 2006 to January 1, 2016.

XI. Excess Surplus Test: This section provides the amount of excess surplus in the LMIHAF, if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

REPORT

This Report and the former Solana Beach Redevelopment Agency's pre-dissolution Implementation Plan are to be made available to the public on the City's website http://www.ci.solana-beach.ca.us/index.asp?SEC=4459C1D7-9FF7-4988-92FF-D6EC8A2F593E&Type=B_BASIC.

I. AMOUNT DEPOSITED INTO LMIHAF. A total of \$402 was deposited into the LMIHAF during the Fiscal Year. Of the total funds deposited into the LMIHAF, no funds were held for items listed on the ROPS. All funds were designated to meet an enforceable obligation to the Hitzke Development Corporation to be used for ten units of very low income multifamily housing (Hitzke Obligation).

II. ENDING BALANCE OF LMIHAF. At the close of the Fiscal Year, the ending balance in the LMIHAF was \$0, of which no funds are held for items listed on the ROPS. All funds are designated to meet the Hitzke Obligation.

III. DESCRIPTION OF EXPENDITURES FROM LMIHAF. The following is a description of expenditures from the LMIHAF by category

	Fiscal Year
Monitoring & Administration Expenditures	\$ 3,194
Homeless Prevention and Rapid Rehousing Services Expenditures	None
Housing Development Expenditures <ul style="list-style-type: none"> ➤ Expenditures on Low Income Units ➤ Expenditures on Very-Low Income Units ➤ Expenditures on Extremely-Low Income Units ➤ Total Housing Development Expenditures 	\$158,525 for very low income units (Hitzke Obligation)
Total LMIHAF Expenditures in Fiscal Year	\$161,719

IV. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR IN LMIHAF. Under the Dissolution Law and for purposes of this Report, the “statutory value of real property” means the value of properties formerly held by the Former Agency as listed on the housing asset transfer schedule approved by the Department of Finance as listed in such schedule under Section 34176(a)(2), the value of the properties transferred to the Housing Successor pursuant to Section 34181(f), and the purchase price of property(ies) purchased by the Housing Successor. Further, the value of loans and grants receivable is included in these reported assets held in the LMIHAF.

The following provides the statutory value of assets owned by the Housing Successor.

As of End of Fiscal Year	
Statutory Value of Real Property Owned by Housing Authority	0
Value of Loans and Grants Receivable	\$601,310
Total Value of Housing Successor Assets	\$601,310

V. DESCRIPTION OF TRANSFERS. The Housing Successor did not make any LMIHAF transfers to other Housing Successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

VI. PROJECT DESCRIPTIONS. The Housing Successor does not receive or hold property tax revenue pursuant to the ROPS.

VII. STATUS OF COMPLIANCE WITH SECTION 33334.16. The Housing Successor has no interests in real property.

VIII. DESCRIPTION OF OUTSTANDING OBLIGATIONS PURSUANT TO SECTION 33413

Replacement Housing: According to the 2009-2014 Implementation Plan for the Former Agency, no Section 33413(a) replacement housing obligations were transferred to the Housing Successor. The Former Agency’s Implementation Plan is posted on the City’s website at http://www.ci.solana-beach.ca.us/index.asp?SEC=4459C1D7-9FF7-4988-92FF-D6EC8A2F593E&Type=B_BASIC

Inclusionary/Production Housing. According to the 2009-2014 Implementation Plan for the Former Agency, the Former Agency was required to construct 2.1 units of very low income housing to meet its inclusionary requirement. The project proposed by the Hitzke Development Corporation and funded in part by the Housing Successor will provide 10 very low income housing units.

IX. EXTREMELY-LOW INCOME TEST. Section 34176.1(a)(3)(B) requires that the Housing Successor must require at least 30% of the LMIHAF to be expended for development of rental housing affordable to and occupied by households earning 30% or less of the AMI. If the Housing Successor fails to comply with the Extremely-Low Income requirement in any five-year report, then the Housing Successor must ensure that at least 50% of the funds remaining in the LMIHAF be expended in each fiscal year following the latest fiscal year following the report on households earning 30% or less of the AMI until the Housing Successor demonstrates compliance with the Extremely-Low Income requirement. This information is not required to be reported until 2019 for the 2014 – 2019 period.

All of the funds in the LMIHAF are committed under an enforceable obligation to the Hitzke Obligation, which will provide ten units of very low income housing. Because the Housing Successor receives minimal interest income, the extremely low-income test does not apply.

X. SENIOR HOUSING TEST. Neither the Housing Successor, the Former Agency nor the City provided funding to deed-restricted rental housing limited to seniors within the past

XI. EXCESS SURPLUS TEST. Excess Surplus is defined in Section 34176.1(d) as an unencumbered amount in the account that exceeds the greater of one million dollars (\$1,000,000) or the aggregate amount deposited into the account during the Housing Successor's preceding four Fiscal Years, whichever is greater.

In the previous four fiscal years, a total of \$4,106 was deposited into the LMIHAF, in the form of interest payments. Therefore, the LMIHAF does not have an Excess Surplus.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: City Attorney's Office/City Clerk's Office
SUBJECT: **Consideration of the City Council Vacancy Created by the Resignation of Former Councilmember Mike Nichols**

BACKGROUND:

Councilmember Mike Nichols resigned his seat on the City Council effective March 12, 2018. His term of office concludes at the next general municipal election on November 6, 2018. Pursuant to Government Code section 36512, the City Council has two options to fill the vacancy: appoint a registered voter from the City or hold a special election for the 8-month unexpired balance of the term of office.

This item is before the City Council to discuss and provide direction to Staff on how to proceed in filling the vacancy.

DISCUSSION:

Appointment

Should the majority of the Council opt to fill the vacancy by appointment, it must do so within 60 days of the date of resignation, March 12, 2018. The appointee will hold office for the unexpired balance of the term of office until the next general municipal election on November 6, 2018.

Staff prepared for Council consideration the following timeline for application and appointment of interested Solana Beach registered voters:

- Application Period: March 29 through April 5, 2018
- Consideration of the applications and appointment: April 11, 2018 Regular Council Meeting

COUNCIL ACTION:

Special Election

While calling a special election within 60 days of the vacancy is available to the Council to fill the 8-month unexpired term of the vacancy, it would have to be a special election. The deadlines to consolidate a special election with the June primary has come and gone. The estimated cost for a special election is \$150,000 - \$225,000.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

Should the majority of the Council decide to proceed with an appointment, Staff time to advertise and compile submitted applications from interested applicants is anticipated to be minimal. Should the majority of the Council decide to call a special election, the anticipated cost is \$150,000 - \$225,000.

WORKPLAN: N/A

OPTIONS:

Discuss and provide direction to Staff on the following options:

- Advertise and accept applications of interested Solana Beach registered voters and consider the applications and make an appointment at the April 11, 2018 Regular Council Meeting; OR
- Direct Staff to return to a future meeting before May 11, 2018 (60 days from the vacancy date of March 12, 2018) the needed resolutions to call a Special Election to fill the remaining unexpired 8-month term.

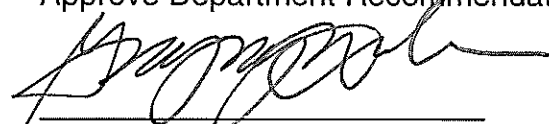
DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council:

1. Discuss the options outlined above in filling the vacancy and provide Staff with direction.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. March 11, 2018 Resignation Letter from Councilmember Nichols
2. Draft Application Form

March 11, 2018

Greg Wade, City Manager
City of Solana Beach, CA

Greg,

This letter is my resignation as a member of the Solana Beach City Council. My resignation is effective as of March 12, 2018. I am resigning in order to handle pressing family matters.

It has been an honor to serve on the City Council since my election in 2006, including my three terms as Mayor. I will miss my involvement on the City Council, but I need to focus on my family at this time. I sincerely appreciate the understanding of my colleagues and the community regarding my decision to resign.

I hope that when the City Council appoints someone to serve the remainder of my term, the Council will honor the voters who elected me by selecting a person that genuinely holds, respects, and will continue the values and philosophy of governance that I brought to my service on the Council.

When I was elected to the Council I committed to protecting our quality of life in Solana Beach, to continue our City's strong commitment to environmental sustainability, and resist the pressures of over-development that can threaten the character of our small beach community and our quality of life.

Respectfully,

A handwritten signature in black ink, appearing to read 'Mike Nichols', with a long horizontal flourish extending to the right.

Mike Nichols

cc: Angela Ivey, City Clerk



CITY OF SOLANA BEACH

635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075 • (858) 720-2400 • Fax (858) 720-2455

www.cityofsolanabeach.org

City Council Application

Interested parties must submit cover letter, application, and resume to the City Clerk's office no later than **5:00 p.m. on Thursday, April 5, 2018.**
Postmarks will not be accepted.

Applicant's Name DRAFT DRAFT

Registered Voter's Address _____
Address City Zip

Home Telephone: _____ Cell Phone: _____

Email: DRAFT Years Lived in Solana Beach DRAFT

Previous service on any Commission/Board/Council? Yes _____ No _____

If Yes, which C/B/C? _____ When? _____

Are you available to attend evening meetings? DRAFT

Do you presently contract any services or are you otherwise employed by the City? Yes _____ No _____

Is so, what is the nature of the contract or employment? DRAFT

Please describe how your qualifications and skills would benefit the City Council?
DRAFT

DRAFT DRAFT

Please describe your educational background and list any professional or vocational licenses/certificates:

DRAFT

Signature DRAFT _____ Date _____



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 28, 2018
ORIGINATING DEPT: City Manager's Office
SUBJECT: Council Discussion Regarding Adoption of Resolution 2018-036 and Policy Related to Gun Safety and Regulation

BACKGROUND:

In the wake of the Parkland, Florida school shooting, Council Members have received correspondence and communications from members of the public requesting that the Council address firearm safety. Most recently, at the March 14, 2018 City Council meeting, several members of the public spoke during oral communications specifically to request that the Council adopt a resolution opposing legislation such as the Concealed Carry Reciprocity Act of 2017. The House of Representatives has already passed their resolution enacting this legislation (H.R. 38) and the Senate will soon take up their version of the bill, S. 446. Council directed Staff to return at a future Council meeting for discussion.

The purpose of this agenda item is to facilitate a discussion regarding firearm safety and regulation. A draft Resolution 2018-036 has been prepared for consideration. (Attachment 1)

DISCUSSION:

As requested by the Council, this item is for discussion on gun safety and regulations and consideration of Resolution 2018-036 opposing legislation such as the Concealed Carry Reciprocity Act of 2017 and urging Federal and State representatives to enact responsible gun safety regulations.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

There is no fiscal impact as a result of this discussion.

WORK PLAN: N/A

CITY COUNCIL ACTION: _____

OPTIONS:

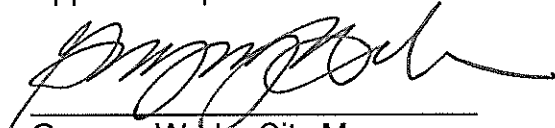
- Approve Staff recommendation.
- Approve Staff recommendation with modifications.
- Deny Staff recommendation and direct Staff as needed.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council discuss, review, and consider Resolution 2018-036 opposing legislation such as the Concealed Carry Reciprocity Act of 2017 and urging Federal and State representatives to enact responsible gun safety regulations.

CITY MANAGER RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Resolution 2018-036

RESOLUTION NO. 2018-036

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SOLANA BEACH, CALIFORNIA, URGING FEDERAL AND
STATE REPRESENTATIVES TO ENACT RESPONSIBLE
GUN SAEFTY REGULATIONS**

WHEREAS, gun violence in the United States, resulting in over 30,000 deaths and 80,000 non-fatal injuries annually, is unacceptable and demands immediate action; and

WHEREAS, mass shootings have occurred in many public places, including at our schools, universities, theatres, concerts, hospitals and clinics, shopping malls, and churches. Gun violence can occur in any place and at any time in the United States; and

WHEREAS, gun violence also affects non-victims through emotional and psychological distress and trauma, both short term and long lasting; and

WHEREAS, incidents of gun violence, including mass shootings, in our nation have become epidemic and demand a concerted response from federal, state and local levels of government and public services, such as law enforcement and health agencies; and

WHEREAS, in just over five years since the December, 2012 Sandy Hook School shooting in Newtown, Connecticut, in which twenty first and second grade children and six teachers and staff were murdered by a single 19 year-old gunman, who had a history of mental and emotional disturbances and who had easy access to military style rifles and handguns, to date there have been more than 200 school shootings alone in our nation, with 138 more people killed and 300 people injured; and

WHEREAS, it is the primary responsibility of our legislators at the national and state levels to enact legislation enabling health, education and law enforcement agencies to keep our schools and communities safe. Our legislators must address the epidemic of gun violence with a sense of urgency to protect our communities and children; and

WHEREAS, we recognize the right of the people to keep and bear arms

under the Second Amendment to the Constitution of the United States, and that the U.S. Supreme Court has ruled, in *Heller vs District of Columbia*, 554 U.S. 570 (2008), in a majority opinion written by Justice Antonin Scalia, joined by Chief Justice John Roberts and Associate Justices Kennedy, Thomas and Alito, that “the right to bear arms is not unlimited” and federal and state governments may enact reasonable regulations to protect the public safety;

WHEREAS, the results of opinion polls widely reported over the past several years have shown that a large majority, estimated at more than two-thirds of all Americans, including Republicans and Democrats, public safety health and education officials, even a majority of the NRA gun lobby, support the enactment of reasonable and rational gun safety regulations.

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. The community of Solana Beach, California, demands that our federal and state legislators perform their duty to protect the people and communities of the United States by enacting reasonable, rational laws regulating the safe possession and use of guns by the people of the United States.
3. Such regulations should include, at a minimum, raising to 21 years the age at which guns may be purchased or possessed; banning the sale and possession of military style semiautomatic and automatic rifles and handguns; banning the sale and possession of magazines capable of holding more than ten cartridges; universal background checks; mandatory safety training as a prerequisite for purchase of any gun; a ten day waiting period before receiving possession of a purchased gun; and limits on the amount of ammunition that may be sold and purchased in a given period of time.
4. Congress should repeal the so-called “Dickey Amendment” which prohibits federal funds being used to undertake research into the causes and remedies for the current gun violence epidemic in the United States.

5. The City of Solana Beach is opposed to the Concealed Carry Reciprocity Act of 2017, as passed under H.R. 38 by the United States House of Representatives, and calls on the United States Senate to reject its version of the Bill, S. 446.

6. The City of Solana Beach recognizes and supports the First Amendment right of the people to participate in peaceful, lawful demonstrations and events in support of the enactment of gun safety regulations, as permitted under the Second Amendment.

7. Upon adoption of this Resolution, the City Clerk of the City of Solana Beach shall transmit copies to the President and Vice President of the United States; the Speaker of the United States House of Representatives; the President pro tempore of the United States Senate; to each U. S. Senator from California; and to the Representative of the California 49th Congressional District; to the Governor of California; to the President pro tempore of the California Senate; and to the Speaker of the California Assembly.

PASSED AND ADOPTED this 28nd day of March 2018, at a regularly scheduled meeting of the City Council of the City of Solana Beach, California by the following vote:

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

GINGER MARSHALL, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk