

CITY OF SOLANA BEACH

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



AGENDA

Joint REGULAR Meeting
Wednesday, March 08, 2023 * 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. The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

WATCH THE MEETING

- Live web-streaming: Meetings web-stream live on the City's website on the City's [Public Meetings](#) webpage. Find the large Live Meeting button.
- Live Broadcast on Local Govt. Channel: Meetings are broadcast live on Cox Communications - Channel 19 / Spectrum (Time Warner)-Channel 24 / AT&T U-verse Channel 99.
- Archived videos online: The video taping of meetings are maintained as a permanent record and contain a detailed account of the proceedings. Council meeting tapings are archived and available for viewing on the City's [Public Meetings](#) webpage.

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 agenda posting. Materials submitted for consideration should be forwarded to the [City Clerk's department](#) 858-720-2400. The designated location for viewing of hard copies is the City Clerk's office at City Hall during normal business hours.

PUBLIC COMMENTS

Written correspondence (supplemental items) regarding an agenda item at an open session meeting should be submitted to the City Clerk's Office at clerkoffice@cosb.org with a) Subject line to include the meeting date b) Include the Agenda Item # as listed on the Agenda.

- Correspondence received after the official posting of the agenda, but two hours prior to the meeting start time, on the meeting day, will be distributed to Council and made available online along with the agenda posting. All submittals received before the start of the meeting will be made part of the record.
- Written submittals will be added to the record and not read out loud.

And/Or

Verbal Comment Participation:

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. Public speakers have 3 minutes each to speak on each topic. Time may be donated by another individual

who is present at the meeting to allow an individual up to 6 minutes to speak. Group: Time may be donated by two individuals who are present at the meeting allowing an individual up to 10 minutes to speak. Group Hearings: For public hearings only, time may be donated by two individuals who are present at the meeting allowing an individual up to 15 minutes to speak.

SPECIAL ASSISTANCE NEEDED

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 all electronic devices to silent mode and engage in conversations outside the Council Chambers.

<u>CITY COUNCILMEMBERS</u>		
David A. Zito Councilmember District 1	Lesa Heebner Mayor	Jewel Edson Councilmember District 3
Kristi Becker Councilmember District 2		Jill MacDonald Councilmember District 4

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

SPEAKERS:

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

READING OF ORDINANCES AND RESOLUTIONS:

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

CALL TO ORDER AND ROLL CALL:

CLOSED SESSION REPORT:

FLAG SALUTE:

APPROVAL OF AGENDA:

PROCLAMATIONS/CERTIFICATES: *Ceremonial*

None at the posting of this agenda

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

None at the posting of this agenda

ORAL COMMUNICATIONS:

Comments relating to items on this evening's agenda are taken at the time the items are heard. 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. 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. No donations of time are permitted (SBMC 2.04.190). Please be aware of the timer light on the Council Dais.

COUNCIL COMMUNITY ANNOUNCEMENTS / COMMENTARY:

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

A. CONSENT CALENDAR: (Action Items) (A.1. - A.8.)

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

All speakers should refer to the public comment section at the beginning of the agenda for details. Please be aware of the timer light on the Council Dais.

A.1. Minutes of the City Council.

Recommendation: That the City Council

1. Approve the Minutes of the City Council meetings held on February 08, 2023.

[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 11, 2023 – February 24, 2023.

[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 2022/2023 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022-2023 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. Community Grant Program - Fiscal Year 2023-24. (File 0330-25)

Recommendation: That the City Council

1. Approve **Resolution 2023-031** authorizing the Fiscal Year (FY) 2023-24 Community Grant Program.

[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. Sales, Transaction, and Use Tax Audit Services. (File 0390-05)

Recommendation: That the City Council

1. Adopt **Resolution 2023-027**:
 - a. Authorizing the City Manager to execute an amendment to the Professional services Agreement with Hinderliter de Llamas and Associates, in an amount not to exceed \$45,000, for Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23 which increases the total authorized contract from \$100,000 to \$125,000.
 - b. Appropriating \$25,000 from the General Fund – Undesignated Reserves to the Professional Services Agreement with Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23.
 - c. Authorizing the City Treasurer to amend the Fiscal Year 2022/23 Adopted Budget accordingly.

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

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

A.6. U.S. Army Corps of Engineers (USACE) 50-Year Project. (File 0740-80)

Recommendation: That the City Council

1. Adopt **Resolution 2023-028**:

- a. The City Manager, or his designee, to request and accept payment of all grant funding successfully obtained from the State of California Department of Parks for ultimate pass-through to the USACE as part of the local cost share match.
- b. The City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023 for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$1,359,706.00, no later than March 10, 2023, to support initial construction of the Project.
- c. The use of Sand Replenishment/Coastal Access Funds (Capital Project Fund450) in the amount of \$300,000.00 and \$313,556.00 of General Fund Reserves for payment of the \$1,359,706.00 to support initial construction of the Project.
- d. The use of Sand Mitigation and Public Recreation Impact Mitigation funds or newly secured Grant Funds to reimburse \$313,556.00 to the General Fund when such funding is available.
- e. The City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023 for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$7,705,000 via California State Parks, Division of Boating and Waterways, to support initial construction of the Project.
- f. The City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to negotiate and execute all agreements and amendments and to pay any anticipated local cost share requirements related to the USACE Project on behalf of the City.

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

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

A.7. City's Housing and Safety Element Update. (File 0610-10)

Recommendation: That the City Council

1. Adopt **Resolution 2023-030** authorizing the City Manager to execute Amendment #4 to the Professional Services Agreement with Kimley-Horn and Associates Inc. increasing the contract amount by \$15,000 for an amount not to exceed \$171,200.

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

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

A.8. Terminating the Proclamation of the Existence of a Local Emergency.

(File 0240-25)

Recommendation: That the City Council

1. Adopt **Resolution 2023-029** terminating the Proclamation of the Existence of a Local Emergency due to COVID-19.

[Item A.8. 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)

C. STAFF REPORTS: (C.1. – C.2.)

Submit speaker slips to the City Clerk.

All speakers should refer to the public comment section at the beginning of the agenda for time allotments. Please be aware of the timer light on the Council Dais.

C.1. Santa Fe Christian Schools Alternative Story Pole Plan - Field Lighting.

(File 0400-40)

Recommendation: That the City Council

1. Consider approving the Santa Fe Christian Schools alternative story pole plan and if the City Council approves the requested alternative, adopt **Resolution 2023-032**.

[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. Re-adopt (2nd Reading) Ordinance 529 – Buildings Standards Code Amendments. (File 0600-05)

Recommendation: That the City Council

1. Re-adopt **Ordinance 529** (2nd Reading) amending Title 15 of the Solana Beach Municipal Code.

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

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

WORK PLAN COMMENTS:

Adopted June 22, 2022

COMPENSATION & REIMBURSEMENT DISCLOSURE:

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

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

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

- a. City Selection Committee (meets twice a year) Primary-Heebner, Alternate-Edson
- b. Clean Energy Alliance (CEA) JPA: Primary-Becker, Alternate-Zito
- c. County Service Area 17: Primary-MacDonald, Alternate-Edson
- d. Escondido Creek Watershed Authority: Becker / Staff (no alternate).
- e. League of Ca. Cities' San Diego County Executive Committee: Primary-MacDonald, Alternate-Becker. Subcommittees determined by its members.
- f. League of Ca. Cities' Local Legislative Committee: Primary-MacDonald, Alternate-Becker
- g. League of Ca. Cities' Coastal Cities Issues Group (CCIG): Primary-MacDonald, Alternate-Becker
- h. North County Dispatch JPA: Primary-MacDonald, Alternate-Becker
- i. North County Transit District: Primary-Edson, Alternate-MacDonald
- j. Regional Solid Waste Association (RSWA): Primary-Zito, Alternate-MacDonald
- k. SANDAG: Primary-Heebner, 1st Alternate-Zito, 2nd Alternate-Edson. Subcommittees determined by its members.
- l. SANDAG Shoreline Preservation Committee: Primary-Becker, Alternate-Zito
- m. San Dieguito River Valley JPA: Primary-MacDonald, Alternate-Becker
- n. San Elijo JPA: Primary-Zito, Primary-Becker, Alternate-City Manager
- o. 22nd Agricultural District Association Community Relations Committee: Primary-Edson, Primary?-Heebner

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

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

CITIZEN COMMISSION(S)

- a. Climate Action Commission – Zito, Becker

ADJOURN:

Next Regularly Scheduled Meeting is March 22, 2023

Always refer to the City's website Event Calendar for an updated schedule or contact City Hall. www.cityofsolanabeach.org 858-720-2400

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 08, 2023 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 01, 2023 at 3:45 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 08, 2023, 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, are posted on each Citizen Commission's Agenda webpage. See the [Citizen Commission's Agenda webpages](#) or the City's Events [Calendar](#) for updates.

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



CITY OF SOLANA BEACH

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

MINUTES

Joint Meeting - Closed Session

Wednesday, February 08, 2023 at 5:00 p.m.

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

Teleconference Location Only - City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California

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

CITY COUNCILMEMBERS

Lesa Heebner

Mayor

David A. Zito

Deputy Mayor/
Councilmember
District 1

Jewel Edson

Councilmember
District 3

Kristi Becker

Councilmember
District 2

Jill MacDonald

Councilmember
District 4

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 5:03 p.m.

Present: Lesa Heebner, David A. Zito, Jewel Edson, Kristi Becker, Jill MacDonald

Absent: None

Also: Gregory Wade, City Manager

Present: Johanna Canlas, City Attorney

PUBLIC COMMENT ON CLOSED SESSION ITEMS (ONLY): None

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

CLOSED SESSION:

1. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Pursuant to Government Code Section 54956.8

Property: APN: 263-352-03,04,05,06 and 07 and 263-342-02

City Negotiators: City Manager Gregory Wade and City Attorney Johanna Canlas

Negotiating Parties: Matt Tucker, North County Transit District

Under negotiation: Purchase Price and Terms

2. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

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

One (1) Potential case

No reportable action.

ADJOURN:

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

Megan Bavin, Deputy City Clerk

Council Approved:

AGENDA ITEM # A.1.

CITY OF SOLANA BEACH

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



MINUTES

Joint REGULAR Meeting
Wednesday, February 08, 2023 * 6:00 p.m.
Teleconference Location Only

City Hall/Council Chambers, 635 S. Highway 101, Solana Beach, California
This meeting will be conducted in accordance with Government Code
sections 54953(e) and 54954.3 and other applicable law.

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

CITY COUNCILMEMBERS

Lesa Heebner
Mayor

David A. Zito
Councilmember District 1
Kristi Becker
Councilmember District 2

Jewel Edson
Councilmember District 3
Jill MacDonald
Councilmember District 4

Gregory Wade
City Manager

Johanna Canlas
City Attorney

Angela Ivey
City Clerk

CALL TO ORDER AND ROLL CALL:

Mayor Heebner called the meeting to order at 6:02 p.m.

Present: Lesa Heebner, David A. Zito, Jewel Edson, Kristi Becker, Jill MacDonald

Absent: None

Also Greg Wade, City Manager

Present: Johanna Canlas, City Attorney
Megan Bavin, Deputy City Clerk
Dan King, Assistant City Manager
Mo Sammak, City Engineer/Public Works Dir.
Joseph Lim, Community Development Dir.

CLOSED SESSION REPORT: None

FLAG SALUTE:

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

Santa Fe Irrigation District – Lake Hodges Dam / Pipeline Replacement Project Update

Al Lau, General Manager, and Seth Gates, CFO of Santa Fe Irrigation District presented a PowerPoint (on file). They discussed drought conditions, the Glenmont Drive/Government Road Pipeline Project, Lake Hodges, rate impacts, current rates and rate structures, cost of service, and cost savings.

Council and speakers discussed that there is no guarantee of a future return of a local water source (Lake Hodges), that they are actively working to mitigate the impacts, that they believe there will still be a local discount, that the San Dieguito Dam is a source of local water but it is a very small reservoir, and that it's projected to be about twelve years before the Lake Hodges Dam is repaired.

APPROVAL OF AGENDA:

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

ORAL COMMUNICATIONS:

Comments relating to items on this evening's agenda are taken at the time the items are heard. 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. 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. No donations of time are permitted (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.4.)

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

All speakers should refer to the public comment section at the beginning of the agenda for details. Please be aware of the timer light on the Council Dais.

A.1. TRAKiT Software Support Services. (File 0190-60)

Recommendation: That the City Council

1. Adopt **Resolution 2023-018** authorizing the City Manager to execute an amendment with CentralSquare, in an amount not to exceed \$25,972.88, for TRAKiT software and maintenance support services for Fiscal Year 2022-23.

Item A.1. Report (click here)

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

Motion: Moved by Councilmember Edson and second by Councilmember Becker to approve.
Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

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

Recommendation: That the City Council

1. Ratify the list of demands for January 07, 2023 – January 20, 2023.

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

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

Motion: Moved by Councilmember Edson and second by Councilmember Becker to approve.
Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

A.3. General Fund Adopted Budget for Fiscal Year 2022/2023 Changes. (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2022-2023 General Fund Adopted Budget.

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

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

Motion: Moved by Councilmember Edson and second by Councilmember Becker to approve.
Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

A.4. Fletcher Cove Tot Lot Construction Project. (File 0720-30, 0730-40)

Recommendation: That the City Council

1. Consider adoption of **Resolution 2023-020** awarding a Construction Contract for the Fletcher Cove Tot Lot Construction Project.

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

[Item A.4. Updated Report #1 \(added 2-7-23\)](#)

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

Motion: Moved by Councilmember Edson and second by Councilmember Becker to approve.
Approved 5/0. Ayes: Heebner, Zito, Edson, Becker, MacDonald. Noes: None. Motion carried unanimously.

C. STAFF REPORTS: (C.1. – C.2.)

Submit speaker slips to the City Clerk.

All speakers should refer to the public comment section at the beginning of the agenda for time allotments. Please be aware of the timer light on the Council Dais.

C.1. Potential Residential View Impacts at the Marine Safety Center. (File 0730-30)

Recommendation: That the City Council

1. Receive the report and provide input and direction on how to address the potential residential view impacts at the Marine Safety Center.

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

[Item C.1. Supplemental Doc \(Updated 2-8-23 at 3:46pm\)](#)

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.

Gregory Wade, City Manager, introduced the item.

Gregory Wade, City Manager, presented a powerpoint (on file).

Council, Staff, and Jon Dominy, Consultant, discussed the view impacts, moving the lifeguard observation tower, glass and tint, ventilation and the addition of operable windows, setting the proposed building back no further than the existing building, ensuring the erosion rate remains at or near the fifty year retreat line, that the proposed structure is moved farther south than the existing facility, how far the proposed design was to be buried into the hillside, the slope of the roof needed to minimize view impacts, the second story observation point, the balcony on the west side, shade from the balcony on lower spaces, the necessity of the walkway around the observation tower, scaling back the area to the east with the pole, the second story roof and overhang providing shade to the first floor, the possibility of using cameras for lesser views, utilization of the two areas on the south wall totaling 1,450 square feet not included in the overall square footage, the mezzanine storage space, moving some of the functions from the first floor to the second floor, that moving some functions would require the addition of an elevator, the lifeguard observation points and importance of a set-up that allows for a secondary set of eyes on the beach, grouping functions together on the west edge, the purposefulness of the design of the observation tower, the sheriff's duties at the center and if a separate office area was necessary, and the addition of solar panels on the northern run of the roof which would add little to no height to the roof.

Ron Blumberg, resident, stated that he was representing his neighbor Ron Kassen, Pacific Ave, that not a single inch of sky or ocean they currently see should be obstructed, that Mr. Kassen was willing to pay for whatever it would cost for architectural rethinking design, and that they would like to give the lifeguards what they deserve without jeopardizing current views.

Jason Walker, stated that he was representing the Finley Family who lived in the Las Brisas Condos, that his clients met with someone from the City and pictures were taken from their balcony, that depending on tides they could lose almost the entirety of their beach view, that if built as currently proposed they won't be able to see people on the beach or if the beach is busy or vacant, that they support an improvement but ask for a second look at the design such as pulling the north wing back a little south which would help with their beach view.

Astrid Vaccaro, Las Brisas Condos, said that she supported the renovation and giving the lifeguards what they needed, that the proposed design would have an even more dramatic

consequence on her view than her neighbors, and that it would block her entire beach and whitewater view depending on the tides.

Vip Patel stated that his observation regarding the lifeguard tower was that from the location of the office it doesn't really provide views of beach, that the beach needs to be viewed north and south, that it's set so far back already that the lifeguard offices don't function to provide safety viewing, that the lifeguards on the beach and being further up are necessary to get views of the beach to provide greater safety, and that he's not sure why observation from these offices is an issue.

Council discussed the private and public views impairments, that there are feasible alternatives for a design that would accomplish a well-functioning marine safety center that is scaled down to fit the area and that would alleviate the private and public view impairments, the historically preferred approach of building into the hillside, to build a second story tucked into and along the southern hillside and move the main building as much as possible to the east and south, create a separate lifeguard observation building in the location of the existing observation hut, eliminate excess space including the lobby, the hallway, the workstation, kitchen island and reducing the kitchen size, locker room size and workbench area, consider removing the sheriff's office, moving the lifeguard observation to the first floor in a separate building so that it would be the only building west of the 75 year retreat line, specify uses for the mezzanine area, a low slope shed roof could work in place of the proposed butterfly roof which would minimize roof mass.

Council discussed the benefits of the overall design, that view impacts needs to be reduced with the needs of marine safety also considered, reduce the northward projection of the second story, no extension or crowding of the public boardwalk area, smaller shed roofs or a combo of shed and flat roof, windows for more natural light, reevaluating the open space above the kitchen and possibly remove the catwalk, reduce the size of the second deck, rethink the second story roof over the first story patio and maybe add a first story roof in that area, and rethink the placement of the observation tower.

Council discussed making amenable changes to reduce the structure size, that the building is close to 80 years old representing 13,000 residents, notable view impacts, that if the tower was pulled further south that some of the loss of the southerly beach view could be compensated for if a permanent structure is built at the base of the ramp, to explore video monitoring of the ramp or some other strategy for public safety, building a functional center that will last the next 50 years and accommodate growth including sand replenishment project, and possibly reducing a few parking spaces, to consider private and public views, being conservative in space to the greatest extent possible, and ensuring marine safety needs are met with the least of amount of space, and conservative in terms of space.

Council directed Staff and consultants to come back with a couple of new design options showing space planning.

C.2. Public Art Donation: *Rio*. (File 0910-45)

Recommendation: That the City Council

1. Adopt **Resolution 2023-021**:

- a. Approving the donation of *Rio* as a permanent art piece in the City's art collection.
- b. Authorizing the City Manager to execute an agreement with the donor, in a form approved by the City Attorney, to facilitate the donation of the *Rio* sculpture.

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

[Item C.2. Supplemental Docs \(Updated 2-8-23 at 12:20pm\)](#)

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

Greg Wade, City Manager, introduced the item.

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

Council and Staff discussed having the Public Arts Commission identify other temporary art locations in the City.

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

WORK PLAN COMMENTS: *Adopted June 22, 2022*

Mayor Heebner said that she heard there was interest in putting office tenants in the buildings along Highway 101 and South Cedros, that we would really like to see retail or restaurants there, and that we consider adding something to the Work Plan that would ensure it remain for retail or restaurants.

COMPENSATION & REIMBURSEMENT DISCLOSURE:

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

COUNCIL COMMITTEE REPORTS: [Council Committees](#)

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

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

CITIZEN COMMISSION(S)

ADJOURN:

Mayor Heebner adjourned the meeting at 8:27 p.m.



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
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 - 02/11/23 through 02/24/23		
Check Register-Disbursement Fund (Attachment 1)		\$ 1,569,885.93
Net Payroll Staff N17	February 17, 2023	<u>230,926.99</u>
TOTAL		\$ <u><u>1,800,812.92</u></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 11, 2023 through February 24, 2023 reflects total expenditures of \$1,800,812.92 from various City 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



City of Solana Beach

Register of Demands

2/11/2023 - 2/24/2023

Department Vendor	Description	Date	Check/EFT Number	Amount
100 - GENERAL FUND				
MISSION SQUARE PLAN 302817	ICMA N17/NC8	02/16/2023	9000698	\$19,047.44
MISSION SQUARE PLAN 302817	ICMA N17/NC8	02/16/2023	9000698	\$4,748.84
SOLANA BEACH FIREFIGHTERS ASSOC	Payroll Run 1 - Warrant N17	02/16/2023	9000701	\$850.00
US BANK	PARMA FLIGHT	02/23/2023	103377	\$291.45
US BANK	FRAUD CHARGE CREDIT	02/23/2023	103377	(\$180.55)
US BANK	BALANCE FORWARD CORRECTION	02/23/2023	103377	(\$2,400.00)
ALLIANT INSURANCE SERVICES INC	JUL-DEC 22-SPECIAL EVENT INSURANCE	02/23/2023	103384	\$1,476.65
SAN DIEGO COUNTY SHERIFF'S DEPT.	DEC 22-SB OVERTIME	02/16/2023	103361	\$349.43
SAN DIEGO COUNTY SHERIFF'S DEPT.	DEC 22- CR TOW FEE	02/16/2023	103361	(\$109.42)
MISSION SQUARE RHS 801939	Payroll Run 1 - Warrant N17	02/16/2023	9000699	\$2,110.96
DIVISION OF THE STATE ARCHITECT	JUL-SEP 22-DAE FEE	02/23/2023	103381	\$61.60
DIVISION OF THE STATE ARCHITECT	OCT-DEC 22-DAE FEE	02/23/2023	103381	\$383.20
FRANCHISE TAX BOARD	Payroll Run 1 - Warrant N17	02/16/2023	103348	\$100.00
JOHN GRAY BEVERLEY III	RFND-ENC22-0142/873 STEVENS	02/16/2023	103351	\$232.00
TOTAL GENERAL FUND				\$26,961.60
1005100 - CITY COUNCIL				
US BANK	EMPLOYEE MEALS	02/23/2023	103377	\$186.35
US BANK	EMPLOYEE MEALS	02/23/2023	103377	\$110.16
TOTAL CITY COUNCIL				\$296.51
1005150 - CITY CLERK				
US BANK	CUP HOLDER	02/23/2023	103377	\$37.69
US BANK	HANDHELD VACUUM	02/23/2023	103377	\$75.41
US BANK	AGENDA BINDER COVERS	02/23/2023	103377	\$92.72
US BANK	BOARD POSTER SITCK	02/23/2023	103377	\$18.16
US BANK	COUNCIL MEETING CLOUD STORAGE	02/23/2023	103377	\$99.99
US BANK	LEAGUE CA CITIES LUGGAGE CHRG	02/23/2023	103377	\$33.99
US BANK	LEAGUE CA CITIES FLIGHT	02/23/2023	103377	\$297.99
US BANK	FRAME OUTGOING COUNCIL	02/23/2023	103377	\$86.19
US BANK	TRANSCRIPTION	02/23/2023	103377	\$29.50
TOTAL CITY CLERK				\$771.64
1005200 - CITY MANAGER				
US BANK	BUSINESS CARDS	02/23/2023	103377	\$21.54
US BANK	OFFICE ACCENT FURNISH	02/23/2023	103377	\$64.64
US BANK	WORKING LUNCH	02/23/2023	103377	\$124.78
US BANK	ART/BEV DISPENSER	02/23/2023	103377	\$118.50
DRO MANAGEMENT CONSULTANTS, LLC	07/01-12/31/22-DRO consulting services	02/23/2023	103385	\$4,250.00
DIAMOND MMP, INC.	REGISTERED VOTERS 2ND MAILING	02/23/2023	103392	\$4,950.06
TOTAL CITY MANAGER				\$9,529.52
1005250 - LEGAL SERVICES				
LOUNSBERY FERGUSON ALTON & PEAK LLP	SD CO-PERMITTEES: 304-02841-00001	02/16/2023	103353	\$724.00
LOUNSBERY FERGUSON ALTON & PEAK LLP	SD CO-PERMITTEES: 304-02841-00001	02/16/2023	103353	\$632.00
BURKE WILLIAMS & SORENSEN	96-0001-DEC 22 PROF SVC	02/23/2023	103375	\$4,947.30

BURKE WILLIAMS & SORENSEN	96-0002-DEC 22 PROF SVC	02/23/2023	103375	\$380.80
BURKE WILLIAMS & SORENSEN	96-0006-DEC 22 PROF SVC	02/23/2023	103375	\$2,261.00
BURKE WILLIAMS & SORENSEN	DEC 22-RETAIN	02/23/2023	103375	\$11,644.00
BURKE WILLIAMS & SORENSEN	96-0014-DEC 22 PROF SVC	02/23/2023	103375	\$1,377.60
BURKE WILLIAMS & SORENSEN	96-0019-DEC 22 PROF SVC	02/23/2023	103375	\$41.40
BURKE WILLIAMS & SORENSEN	96-0038-DEC 22 PROF SVC	02/23/2023	103375	\$70.00
BURKE WILLIAMS & SORENSEN	96-0040-DEC 22 PROF SVC	02/23/2023	103375	\$2,877.00
BURKE WILLIAMS & SORENSEN	96-0040.002-DEC 22 PROF SVC	02/23/2023	103375	\$1,972.80

TOTAL LEGAL SERVICES**\$26,927.90****1005300 - FINANCE**

GOVERNMENT FINANCE OFFCR ASSOC INC	CITY OF SOLANA BEACH APPLICATION FEE	02/23/2023	103388	\$460.00
BUSINESS PRINTING COMPANY INC	WINDOW ENVELOPES	02/23/2023	103376	\$907.66
KFORCE INC.	02/02/23-TEMP SERVICES	02/16/2023	9000700	\$1,619.80
KFORCE INC.	02/09/23-TEMP SERVICES-FIN	02/23/2023	9000707	\$1,280.00
AMAZON.COM SALES, INC	DESK FAN	02/23/2023	103372	\$18.31
AMAZON.COM SALES, INC	TAX FORMS	02/23/2023	103372	\$110.53
FOSTER & FOSTER CONSULTING ACTUARIES,	2022 GASBS 68 REPORT	02/23/2023	103387	\$1,850.00

TOTAL FINANCE**\$6,246.30****1005350 - SUPPORT SERVICES**

US BANK	WATER SHIELD SPRAY	02/23/2023	103377	\$20.03
US BANK	FRAME/PLEXIGLASS	02/23/2023	103377	\$69.69
XEROX CORPORATION	JAN 23-XEROX UPSTAIRS	02/23/2023	103404	\$28.14
XEROX CORPORATION	JAN 23-XEROX UPSTAIRS	02/23/2023	103404	\$298.25
XEROX CORPORATION	JAN 23-XEROX CLERK	02/23/2023	103404	\$150.90
XEROX CORPORATION	JAN 23-XEROX CLERK	02/23/2023	103404	\$271.68
XEROX CORPORATION	JAN 23-XEROX PLN/ENG	02/23/2023	103404	\$171.36
XEROX CORPORATION	JAN 23-XEROX PLN/ENG	02/23/2023	103404	\$546.78
XEROX CORPORATION	JAN 23-XEROX-FIERY-PLN	02/23/2023	103404	\$132.61
XEROX CORPORATION	JAN 23-XEROX-FIERY-UPSTAIRS	02/23/2023	103404	\$132.61
XEROX CORPORATION	JAN 23-XEROX-FIERY-CLERK	02/23/2023	103404	\$122.84
AMAZON.COM SALES, INC	COFFEE PODS	02/23/2023	103372	\$62.92
AMAZON.COM SALES, INC	RECYCLE BIN/COFFEE PODS	02/23/2023	103372	\$74.12

TOTAL SUPPORT SERVICES**\$2,081.93****1005400 - HUMAN RESOURCES**

SHARP REES-STEALY MEDICAL CTRS INC	PRE-EMPLOYMENT SCREENING	02/16/2023	103364	\$263.00
US BANK	PHOTO BOOTH EE APPRC	02/23/2023	103377	\$500.00
US BANK	SWEATSHIRTS EE APPRC	02/23/2023	103377	\$1,317.65
EMPLOYMENT DEVELOPMENT DEPARTMENT	SUI PE 12/31	02/23/2023	103386	\$1,970.48
MICHAEL MONKEN	TRUCK ACADEMY-MONKEN	02/23/2023	103391	\$1,511.00

TOTAL HUMAN RESOURCES**\$5,562.13****1005450 - INFORMATION SERVICES**

COX COMMUNICATIONS INC	0013410039730701-01/19/23-02/18/23	02/16/2023	103346	\$317.49
US BANK	DOMAIN	02/23/2023	103377	\$9.95
US BANK	EMAIL MARKETING	02/23/2023	103377	\$55.00
US BANK	ATT LC	02/23/2023	103377	\$64.20
SALIENT NETWORKS (FKA DIAL-PRO)	PROF SVC-COMM MAINT	02/16/2023	103360	\$146.25
AT&T CALNET 3	9391012278-12/24/22-01/23/23	02/16/2023	103341	\$3,448.10
AT&T CALNET 3	19400312-12/24/22-01/23/23	02/16/2023	103341	\$23.38
MANAGED SOLUTION	JAN 23-IT Services Managed Solution	02/16/2023	103354	\$1,949.70
AMAZON.COM SALES, INC	SAMSUNG TV	02/23/2023	103372	\$1,605.02
AMAZON.COM SALES, INC	HDMI ADAPTERS	02/23/2023	103372	\$30.06

AMAZON.COM SALES, INC	AUX CORDS/AMPLIFIER RECEIVER/SPEAKERS/HDMI CABLES	02/23/2023	103372	\$203.58
AMAZON.COM SALES, INC	SURGE PROTECTOR/HDMI EXTNDR/CABLES	02/23/2023	103372	\$59.87
TOTAL INFORMATION SERVICES				\$7,912.60
1005550 - PLANNING				
UT SAN DIEGO - NRTH COUNTY	RE-INTRO ORD 529	02/16/2023	103367	\$230.92
UT SAN DIEGO - NRTH COUNTY	PUB HRNG-DRP22-007/SDP22-005	02/23/2023	103401	\$458.34
OFFICE DEPOT INC	MARKERS	02/23/2023	103395	\$15.61
TOTAL PLANNING				\$704.87
1005560 - BUILDING SERVICES				
OFFICE DEPOT INC	PAPER/PENS	02/23/2023	103395	\$14.40
OFFICE DEPOT INC	SHIPPING TAGS	02/23/2023	103395	\$47.40
TOTAL BUILDING SERVICES				\$61.80
1005590 - PARKING ENFORCEMENT				
US BANK	OFFICE CHAIR	02/23/2023	103377	\$215.49
US BANK	VEHICLE MAINTENANCE	02/23/2023	103377	\$34.03
US BANK	TIRE REPLACEMENT	02/23/2023	103377	\$211.23
DATATICKET INC.	JAN 23-PARKING CITATION PROCESSING SERVICES	02/23/2023	103379	\$1,584.30
VERIZON WIRELESS-SD	442224168-00001-12/24/22-01/23/23	02/16/2023	103368	\$141.23
TOTAL PARKING ENFORCEMENT				\$2,186.28
1006110 - LAW ENFORCEMENT				
SAN DIEGO COUNTY SHERIFF'S DEPT.	DEC 22-Sheriff Law Enforcement	02/16/2023	103361	\$399,063.64
SAN DIEGO COUNTY SHERIFF'S DEPT.	JAN 23-Cal-ID Program	02/16/2023	103361	\$1,458.00
TOTAL LAW ENFORCEMENT				\$400,521.64
1006120 - FIRE DEPARTMENT				
US BANK	CAST IRON CLEANER	02/23/2023	103377	\$22.60
US BANK	FIRESTATION CLEANING SUPPLIES	02/23/2023	103377	\$352.12
US BANK	CAR WASH/WIRE CONNECTORS	02/23/2023	103377	\$75.10
US BANK	DOOR STOPPER	02/23/2023	103377	\$9.15
US BANK	OFFICE SUPPLIES	02/23/2023	103377	\$6.41
US BANK	TRASH CAN	02/23/2023	103377	\$42.01
US BANK	INK CARTRIDGES	02/23/2023	103377	\$94.41
US BANK	COSTCO MEMBERSHIP	02/23/2023	103377	\$60.00
US BANK	MUD PAN	02/23/2023	103377	\$25.76
US BANK	AMAZON PRIME MEMBERSHIP	02/23/2023	103377	\$149.77
US BANK	VEHICLE LOCKOUT KIT	02/23/2023	103377	\$214.66
US BANK	GAS	02/23/2023	103377	\$150.00
US BANK	GAS	02/23/2023	103377	\$174.13
US BANK	GAS	02/23/2023	103377	\$166.09
US BANK	BATTERIES/SCRAPER	02/23/2023	103377	\$102.19
US BANK	FIRE PREVENTION SUPPLIES	02/23/2023	103377	\$170.24
US BANK	GAS	02/23/2023	103377	\$173.81
US BANK	GAS	02/23/2023	103377	\$134.99
US BANK	GAS	02/23/2023	103377	\$157.14
RANCHO SANTA FE FIRE PROTECTION DISTRICT	ELEVATOR RESCUE COURSE	02/16/2023	103358	\$1,580.00
TOTAL FIRE DEPARTMENT				\$3,860.58
1006130 - ANIMAL CONTROL				
HABITAT PROTECTION, INC	DEC 22- DEAD ANIMAL REMOVAL	02/16/2023	103349	\$145.00
SAN DIEGO HUMANE SOCIETY & S.P.C.A.	DEC 22-Animal Services	02/16/2023	103362	\$7,603.00
SAN DIEGO HUMANE SOCIETY & S.P.C.A.	FEB 23-Animal Services	02/16/2023	103362	\$7,603.00
TOTAL ANIMAL CONTROL				\$15,351.00

1006150 - CIVIL DEFENSE

AT&T CALNET 3	9391012275-12/24/22-01/23/23	02/16/2023	103341	\$167.43
---------------	------------------------------	------------	--------	----------

TOTAL CIVIL DEFENSE**\$167.43****1006170 - MARINE SAFETY**

CAMEO PAPER & JANITORIAL SUPPLY INC	TOWLES/SOAP/TRASH LINERS	02/16/2023	103342	\$283.90
US BANK	DOOR THRESHOLD RAMP	02/23/2023	103377	\$71.10
US BANK	REFUND FOR WETSUIT	02/23/2023	103377	(\$193.92)
US BANK	SPONGE HOLDER	02/23/2023	103377	\$11.84
US BANK	GARDEN HOSE FOR HQ	02/23/2023	103377	\$28.00
US BANK	BINOCULAR REPAIR	02/23/2023	103377	\$358.53
US BANK	REFUND FOR GARAGE REMOTE	02/23/2023	103377	(\$25.56)
US BANK	GARAGE DOOR REMOTE	02/23/2023	103377	\$25.56
US BANK	HQ BATTERIES	02/23/2023	103377	\$15.61
US BANK	HQ RADIO BAG	02/23/2023	103377	\$14.45
US BANK	HQ RADIO BAG	02/23/2023	103377	\$44.12
US BANK	PRINTER INK	02/23/2023	103377	\$59.79
US BANK	REPLACEMENT OIL DIPSTICK	02/23/2023	103377	\$46.06
US BANK	BENCH COVER	02/23/2023	103377	\$44.17
US BANK	WETSUIT	02/23/2023	103377	\$278.85
US BANK	AMERICAN FLAGS	02/23/2023	103377	\$38.76
US BANK	LIFE SUPPORT CERT.	02/23/2023	103377	\$23.00
US BANK	ANCHORS	02/23/2023	103377	\$82.76
AT&T CALNET 3	9391019469-11/20/22-12/19/22	02/16/2023	103341	\$23.35
AT&T CALNET 3	9391019469-12/20/22-01/19/23	02/16/2023	103341	\$23.89
AT&T CALNET 3	9391012281-12/25/22-01/24/23	02/16/2023	103341	\$72.43
AT&T CALNET 3	9391053651-12/25/22-01/24/23	02/16/2023	103341	\$275.30
WORLD ADVANCEMENT OF TECH FOR EMS	FEB 2023-JAN 2024-LIFEGUARD SUPPORT & MAINT	02/16/2023	103370	\$3,000.00

TOTAL MARINE SAFETY**\$4,601.99****1006510 - ENGINEERING**

US BANK	RECORDS REQUEST	02/23/2023	103377	\$8.00
US BANK	MAP	02/23/2023	103377	\$24.00
US BANK	MAP	02/23/2023	103377	\$16.00
UT SAN DIEGO - NRTH COUNTY	OPEN BID-2023-03	02/23/2023	103401	\$526.94
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$51.35

TOTAL ENGINEERING**\$626.29****1006520 - ENVIRONMENTAL SERVICES**

MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/23/2023	103393	\$14.99
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/16/2023	103355	\$14.98
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$51.36
CLEAN EARTH ENVIROMENTAL SOLUTIONS	DEC 22-HHW	02/16/2023	103344	\$823.72
SUMMIT EROSION CONTROL	SAND BAGS/LABOR/TRUCK/LABOR	02/23/2023	103400	\$523.32
SUMMIT EROSION CONTROL	SAND BAGS/PALLET/TRUCK/LABOR	02/23/2023	103400	\$523.32

TOTAL ENVIRONMENTAL SERVICES**\$1,951.69****1006530 - STREET MAINTENANCE**

MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/23/2023	103393	\$25.68
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/16/2023	103355	\$25.69
DIXIELINE LUMBER CO INC	BLACK TOP PATCH/GLOVES	02/23/2023	103382	\$163.88
DIXIELINE LUMBER CO INC	BLACKTOP PATCH/GLOVES	02/23/2023	103382	\$162.23
DIXIELINE LUMBER CO INC	OIL	02/23/2023	103382	\$29.05
DIXIELINE LUMBER CO INC	VALVE/WRENCH/PIPES/CONNECTORS	02/23/2023	103382	\$52.61
SDG&E CO INC	10/01/22-01/09/23-UTILITIES	02/23/2023	103397	\$522.37

SDG&E CO INC	12/07/22-01/09/23-UTILITIES	02/23/2023	103397	\$1,035.53
US BANK	OUTDOOR CONVEX MIRROR	02/23/2023	103377	\$137.26
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$51.36
TRAFFIC SUPPLY, INC	REFLECTIVE DECAL	02/16/2023	103366	\$64.65
TOTAL STREET MAINTENANCE				\$2,270.31
1006540 - TRAFFIC SAFETY				
SDG&E CO INC	10/01/22-01/09/23-UTILITIES	02/23/2023	103397	\$556.39
SDG&E CO INC	12/07/22-01/09/23-UTILITIES	02/23/2023	103397	\$1,195.53
DEPARTMENT OF TRANSPORTATION	OCT-DEC 22-COST SHARE AGMT/I-5 TRAFFIC SIGNALS	02/23/2023	103380	\$351.68
DEPARTMENT OF TRANSPORTATION	OCT-DEC 22-COST SHARE AGMT/I-5 TRAFFIC SIGNALS	02/23/2023	103380	\$925.69
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$36.68
TRAFFIC SUPPLY, INC	SIGNS	02/16/2023	103366	\$772.57
STC TRAFFIC, INC	DEC 22- ON-CALL TRAFFIC CONSULTING	02/16/2023	103365	\$220.00
ALL CITY MANAGEMENT SERVICES, INC	12/11/22-12/24/22-CROSSING GUARDS	02/23/2023	9000704	\$9,871.88
ALL CITY MANAGEMENT SERVICES, INC	01/08/23-01/21/23-CROSSING GUARDS	02/23/2023	9000704	\$9,982.80
YUNEX LLC	JAN 23-TRAFFIC SIGNAL & SAFETY LIGHT MAINT/REPAIR	02/23/2023	9000711	\$1,529.84
YUNEX LLC	JAN 23-TRAFFIC SIGNAL & SAFETY LIGHT MAINT/REPAIR	02/23/2023	9000711	\$1,120.00
TOTAL TRAFFIC SAFETY				\$26,563.06
1006550 - STREET CLEANING				
PRIDE INDUSTRIES	JAN 23-TRASH ABATEMENT SERVICES	02/16/2023	103357	\$1,588.31
SCA OF CA, LLC	JAN 23-STREET SWEEPING SERVICES	02/16/2023	103363	\$3,910.15
TOTAL STREET CLEANING				\$5,498.46
1006560 - PARK MAINTENANCE				
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/23/2023	103393	\$18.19
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/16/2023	103355	\$18.19
RANCHO SANTA FE SECURITY SYS INC	FEB 23- SECURITY PTRL	02/16/2023	103359	\$661.10
US BANK	ROAD SIGN	02/23/2023	103377	\$69.97
US BANK	ROAD SIGN	02/23/2023	103377	\$26.99
US BANK	MULCH	02/23/2023	103377	\$12.83
US BANK	MAINTENANCE PART	02/23/2023	103377	\$63.57
US BANK	GROUND ANCHOR	02/23/2023	103377	\$22.60
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$73.37
TOTAL PARK MAINTENANCE				\$966.81
1006570 - PUBLIC FACILITIES				
SEASIDE HEATING & AIR CONDITIONING	FY23 HVAC SERVICES-CH	02/23/2023	103398	\$1,820.00
DIXIELINE LUMBER CO INC	TAPE MEASURE/BROOM	02/16/2023	103347	\$46.74
DIXIELINE LUMBER CO INC	PRIMER/BRUSH/GOO OFF	02/16/2023	103347	\$45.82
DIXIELINE LUMBER CO INC	TOOL BOX/PAINT RESPIRATOR	02/16/2023	103347	\$94.36
DIXIELINE LUMBER CO INC	GLUE/DRILL BIT	02/16/2023	103347	\$29.07
DIXIELINE LUMBER CO INC	SPRAY TEXTURE	02/16/2023	103347	\$19.19
DIXIELINE LUMBER CO INC	SOCKETS/ CRACK FILLER	02/16/2023	103347	\$28.19
DIXIELINE LUMBER CO INC	CAULK GUN/CAULK	02/23/2023	103382	\$30.83
DIXIELINE LUMBER CO INC	GUTTER END CAP/FLEX SEAL/ELBOW	02/23/2023	103382	\$48.18
DIXIELINE LUMBER CO INC	OUTLET ENDS/DOWNSPOUT TUBES	02/23/2023	103382	\$72.83
DIXIELINE LUMBER CO INC	PLIERS/OIL	02/23/2023	103382	\$38.76
DIXIELINE LUMBER CO INC	SCREWDRIVER/LIGHT PLATE/OUTLETS	02/23/2023	103382	\$55.91
SDG&E CO INC	10/01/22-01/09/23-UTILITIES	02/23/2023	103397	\$1,974.21
SDG&E CO INC	12/07/22-01/09/23-UTILITIES	02/23/2023	103397	\$7,831.62
US BANK	MAINTENANCE PARTS	02/23/2023	103377	\$188.95

US BANK	TRANSFORMER	02/23/2023	103377	\$37.96
US BANK	LANDSCAPE LIGHTS	02/23/2023	103377	\$86.19
US BANK	STEVEN HOUSE PAINT	02/23/2023	103377	\$54.56
24 HOUR ELEVATOR, INC	FEB 23- ELEVATOR PREVENTATIVE MAINT	02/16/2023	103340	\$185.22
CINTAS CORPORATION NO. 2	FIRST AID SUPPLIES-CH	02/23/2023	103378	\$284.52
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-PW	02/23/2023	103389	\$64.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-LC	02/23/2023	103389	\$64.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-FC	02/23/2023	103389	\$39.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-MS	02/23/2023	103389	\$64.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-CH	02/23/2023	103389	\$52.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-FS	02/23/2023	103389	\$38.00
HABITAT PROTECTION, INC	JAN 23- PEST/RODENT CONTROL-FCCC	02/23/2023	103389	\$35.00
PRIDE INDUSTRIES	JAN 23-TRASH ABATEMENT SERVICES	02/16/2023	103357	\$1,588.32
DOOR DORKS, INC	GARAGE DOOR TUNE UP	02/23/2023	103383	\$486.76
TOTAL PUBLIC FACILITIES				\$15,404.19
1007100 - COMMUNITY SERVICES				
US BANK	EMPLOYEE DRINKS	02/23/2023	103377	\$18.30
US BANK	EMPLOYEE MEALS	02/23/2023	103377	\$159.31
US BANK	EMPLOYEE MEALS	02/23/2023	103377	\$187.26
TOTAL COMMUNITY SERVICES				\$364.87
1007110 - GF-RECREATION				
US BANK	HOLIDAY CANDY	02/23/2023	103377	\$39.32
US BANK	ORNAMENT	02/23/2023	103377	\$64.43
US BANK	VETERANS DAY DRINKS	02/23/2023	103377	\$360.30
US BANK	TREE ORNAMENTS	02/23/2023	103377	\$77.32
US BANK	CANDY CANES	02/23/2023	103377	\$63.02
US BANK	CIDER	02/23/2023	103377	\$21.94
US BANK	TREE LIGHTING SUPPLIES	02/23/2023	103377	\$225.05
TOTAL GF-RECREATION				\$851.38
1205460 - SELF INSURANCE RETENTION				
US BANK	CLM2303.GIST POSTAGE	02/23/2023	103377	\$8.69
US BANK	RISK MNGMNT CONFERENCE	02/23/2023	103377	\$350.00
POUNEH SAMMAK	2022 GYM REIMB	02/16/2023	103356	\$260.00
SECTRAN SECURITY INC	FEB 23-ARMORED TRUCK SERVICES/FUEL	02/23/2023	103399	\$170.71
JOSE GARCIA	2018 GYM REIMB	02/16/2023	103352	\$379.90
BICKMORE ACTUARIAL	SIR ANALYSIS	02/23/2023	103374	\$2,500.00
BURKE WILLIAMS & SORENSEN	96-0040.003-DEC 22 PROF SVC-DEP427CNYN	02/23/2023	103375	\$853.60
BURKE WILLIAMS & SORENSEN	96-0040.001-DEC 22 PROF SVC-CLM.2203	02/23/2023	103375	\$109.60
TOTAL SELF INSURANCE RETENTION				\$4,632.50
1355450 - ASSET REPLACEMENT-INFO SYS				
360CIVIC	ADA SOFTWARE	02/23/2023	103371	\$300.00
TOTAL ASSET REPLACEMENT-INFO SYS				\$300.00
2037510 - HIGHWAY 101 LANDSC #33				
SDG&E CO INC	12/07/22-01/09/23-UTILITIES	02/23/2023	103397	\$3,376.09
TOTAL HIGHWAY 101 LANDSC #33				\$3,376.09
2047520 - MID 9C SANTA FE HILLS				
SANTA FE HILLS HOA	JAN 23- SANTA FE HILLS HOA	02/23/2023	9000710	\$28,750.00
TOTAL MID 9C SANTA FE HILLS				\$28,750.00
2057530 - MID 9E ISLA VERDE				
ISLA VERDE HOA	JAN 23-ISLE VERDE HOA	02/23/2023	103390	\$433.33

TOTAL MID 9E ISLA VERDE					\$433.33
2077550 - MID 9H SAN ELIJO #2					
SAN ELIJO HILLS II HOA	JAN 23-HOA PAYMENT	02/23/2023	103396	\$6,550.00	
TOTAL MID 9H SAN ELIJO #2					\$6,550.00
2117600 - STREET LIGHTING DISTRICT					
SDG&E CO INC	10/01/22-01/09/23-UTILITIES	02/23/2023	103397	\$17,999.64	
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$14.67	
YUNEX LLC	JAN 23- STREETLIGHT MAINTENANCE/REPAIRS	02/23/2023	9000711	\$298.00	
TOTAL STREET LIGHTING DISTRICT					\$18,312.31
2135550 - DEVELOPER PASS-THRU- PLANNING					
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B21-0534-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B21-0415-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-018-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-010-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-013-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	REV22-0001-JANUARY 23	02/23/2023	9000709	\$650.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B21-0534-JANUARY 23	02/23/2023	9000709	\$500.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-001-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP21-009-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-012-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	DRP22-020-JANUARY 23	02/23/2023	9000709	\$350.00	
PAMELA ELLIOTT LANDSCAPE ARCHITECT	B21-0415-JANUARY 23	02/23/2023	9000709	\$350.00	
TOTAL DEVELOPER PASS-THRU- PLANNING					\$4,650.00
2196110 - COPS PROGRAM					
SAN DIEGO COUNTY SHERIFF'S DEPT.	DEC 22-Sheriff Law Enforcement	02/16/2023	103361	\$8,092.95	
TOTAL COPS PROGRAM					\$8,092.95
2286510 - TRANSNET EXTENSION-CIP					
CHEN RYAN ASSOCIATES	DEC 22- 9538 SAFE RT SCH	02/16/2023	103343	\$2,889.00	
TOTAL TRANSNET EXTENSION-CIP					\$2,889.00
2466510 - PER CAPITA GRANT FUND-CIP					
CHEN RYAN ASSOCIATES	DEC 22- 9538 SAFE RT SCH	02/16/2023	103343	\$8,667.00	
TOTAL PER CAPITA GRANT FUND-CIP					\$8,667.00
2505570 - COASTAL BUSINESS/VISITORS					
HOLIDAY GOO	EASTER EGGS	02/16/2023	103350	\$402.45	
TOTAL COASTAL BUSINESS/VISITORS					\$402.45
2706120 - PUBLIC SAFETY- FIRE					
US BANK	EMS FORMS	02/23/2023	103377	\$231.12	
AMR	CSA.17-ANTIGEN KIT	02/23/2023	103373	\$134.69	
TOTAL PUBLIC SAFETY- FIRE					\$365.81
2706170 - PUBLIC SAFETY- MARINE SAFETY					
US BANK	CSA17 MEDICAL SUPPLIES	02/23/2023	103377	\$38.76	
US BANK	CSA17 HQ MEDICAL SUPPLIES	02/23/2023	103377	\$30.14	
TOTAL PUBLIC SAFETY- MARINE SAFETY					\$68.90
4506190 - SAND REPLNSHMNT/RETENTION					
COASTAL FRONTIERS INC	JAN 23-PROF SVC SHORLINE MONIT	02/16/2023	103345	\$8,612.00	
WARWICK GROUP CONSULTANTS, LLC	JAN 23-FEDERAL PUBLIC AFFAIRS	02/16/2023	103369	\$5,833.00	
WARWICK GROUP CONSULTANTS, LLC	JAN 23-FEDERAL PUBLIC AFFAIRS	02/16/2023	103369	\$5,833.00	
TOTAL SAND REPLNSHMNT/RETENTION					\$20,278.00
4595550 - MISC. CAPITAL PROJECTS					

KIMLEY-HORN AND ASSOCIATES, INC.	JAN 23-HOUSING/SAFETY ELEMENT UPDATE	02/23/2023	9000708	\$1,870.00
TOTAL MISC. CAPITAL PROJECTS				\$1,870.00
4596510 - MISC.CAPITALPROJECTS-ENG				
VAN DYKE LANDSCAPE ARCHITECTS	JUL 22-LA COLONIA MASTER PLAN UPDATE	02/23/2023	103402	\$455.00
VAN DYKE LANDSCAPE ARCHITECTS	DEC 22-LA COLONIA MASTER PLAN UPDATE	02/23/2023	103402	\$7,835.00
VAN DYKE LANDSCAPE ARCHITECTS	DEC 22- 9438 FC PRK DSN	02/23/2023	103402	\$1,625.00
VAN DYKE LANDSCAPE ARCHITECTS	DEC 22-FCP/LCP DESIGN ADDL FUNDS	02/23/2023	103402	\$4,950.00
NISSHO OF CALIFORNIA	JAN 23-9530 CITY-WIDE TREE PLANTING	02/23/2023	103394	\$15,589.29
TOTAL MISC.CAPITALPROJECTS-ENG				\$30,454.29
5097700 - SANITATION				
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/23/2023	103393	\$10.70
MISSION LINEN & UNIFORM INC	LAUNDRY-PW	02/16/2023	103355	\$10.70
VERIZON WIRELESS-SD	362455526-00001-01/02/23-02/01/23	02/23/2023	103403	\$14.67
US BANK	3/1-2017 SEJPA INT & PRIN	02/22/2023	9000702	\$215,606.25
US BANK	3/1-2017 SEJPA INT & PRIN	02/22/2023	9000702	\$237,500.00
US BANK	3/1-WWR REF 2017	02/23/2023	9000703	\$99,503.13
US BANK	3/1-WWR REF 2017	02/23/2023	9000703	\$305,000.00
US BANK	3/1-WWR REF 2017	02/23/2023	9000703	(\$94.93)
TOTAL SANITATION				\$857,550.52
6527820 - SUCCESSOR AGENCY				
COMPUTERSHARE CORPORATE TRUST	FY23 TAR BOND 2017 ADMIN FEE	02/23/2023	9000705	\$4,000.00
TOTAL SUCCESSOR AGENCY				\$4,000.00
REPORT TOTAL:				\$1,569,885.93



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
ORIGINATING DEPT: Finance
SUBJECT: **Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2022-23**

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 February 22, 2023.

DISCUSSION:

The following table reports the revenue, expenditures, and transfers for 1) the Adopted General Fund Budget approved by Council on June 23, 2021 (Resolution 2021-092) and 2) any resolutions passed by Council that amended the Adopted General Fund Budget.

GENERAL FUND - ADOPTED BUDGET PLUS CHANGES As of February 22, 2023						
General Fund Operations						
Date	Action	Description	Revenues	Expenditures	Transfers from GF	Net Surplus
06/23/2021	Reso 2021-092	Adopted Budget	22,148,385	(20,867,260)	(482,500) \$	798,625
07/14/2021	Reso 2021-097	MS MOU		(11,570)		787,055
04/13/2022	Reso 2022-034	Keyser Marston		(15,000)		772,055
06/08/2022	Reso 2022-041	On-Call Repair Svcs		(30,000)		742,055
06/08/2022	Reso 2022-065	Janitorial		(20,000)		722,055
06/22/2022	Reso 2022-082	FY23 Budget Update	1,965,100	(615,680)	(1,423,000)	648,475
08/24/2022	Reso 2022-106	Lew Edwards Group		(36,000)		612,475
09/14/2022	Reso 2022-102	SBFA MOU		(182,000)		430,475
02/22/2023	Reso 2023-022	Nissho Landscape Maint. Services		(25,000)		405,475
02/22/2023	Reso 2023-017	Yunex Traffic		(45,000)		360,475

Table Continued on Page 2

COUNCIL ACTION:

General Fund Unreserved Balance						
Date	Action	Description	Revenues	Expenditures	Transfers from GF	Net
12/09/2022	Reso 2022-123	FY22 - Surplus PARS Contribution		(720,000)		(720,000)
12/09/2022	Reso 2022-123	FY22 - Surplus Pavement Mgmt Prgm		(150,000)		(870,000)
12/14/2022	Reso 2022-138	FY23 - Pacific Ave Utility Underground - Pase 2		(42,000)		(912,000)
01/25/2023	Reso 2023-007	FY23 - CIP - Roof Replacement FCCC and MS Center		(120,000)		(1,032,000)
01/25/2023	Reso 2023-014	FY23 - Emanuel Jones and Associates		(150)		(1,032,150)
01/25/2023	Reso 2023-015	FY23 - License Plate Recognition Cameras		(46,064)		(1,078,214)
02/22/2023	Reso 2023-016	FY23 - CIP - National Garage Doors SBFS		(74,000)		(1,106,150)
Net General Fund Operations Surplus and Unreserved Balance Expenditures						(745,675.00)

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

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 2022-2023 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 8, 2023
ORIGINATING DEPT: City Manager's
SUBJECT: **City Council Consideration of Resolution 2023-031
 Authorizing the FY 2023-24 Community Grant Program**

BACKGROUND:

On May 4, 2004, the City Council adopted Resolution No. 2004-68 approving Council Policy No. 14, establishing the Community Grant Program (“Grant Program”) and Application Guidelines for the Grant Program. On September 27, 2006, the City Council amended the policy to specify grant monies are only intended to be provided to non-governmental organizations.

The Fiscal Year (FY) 2023-24 Adopted Budget has \$25,000 allocated for the Grant Program. Included in the \$25,000 allocation is \$15,000 in funding from the EDCO Franchise Agreement negotiated by the City.

This item is before City Council is to consider approving Resolution 2023-031 (Attachment 1) authorizing the FY 2023-24 Community Grant Program for the City of Solana Beach.

DISCUSSION:

The following is a list of key points for the implementation of the Community Grant Program for FY 2023-24:

Application Criteria

Applications will be judged and selected based upon the following criteria:

1. The applicant is a non-profit 501(c)(3) or a recognized community-based organization serving the Solana Beach community.
2. Fair and justifiable program costs (budget required).
3. Collaboration/Partnerships.
4. Leveraging of matching funds/resources.
5. Originality and creativity. Priority will be given to projects or programs which are new and unique to the community or which provide a new or unique twist on an existing program.

CITY COUNCIL ACTION: _____ _____

6. Applicants must submit a financial conditions statement (Balance Sheet) as well as the applicant(s) revenue/expenditure statements and tax return statements for the prior operating year.
7. Completion of project between the grant award and May 31, 2024 (an exception to the May 31, 2024 completion date can be made with proof of good cause).

Grant Award Expenditures

Grants will be funded upon approval by the City Council. Expenses must be directly related to services or materials of the proposed activity during the grant award period (date of grant approval through May 31, 2024). Grantees will be required to maintain records to support claimed expenditures and project accomplishments. Funds for the proposed project must not be used to replace or offset funding sources normally available for any portion of the project, nor be used by the applicant(s) to fund/supplement its own monetary contributions.

Grant Award Amounts

The City Council, at its own discretion, may modify the grant awards to qualified recipients based on qualifying criteria, number of qualified applications received, and purpose of request to meet policy areas as enumerated in the City Council's Work Plan to benefit the Solana Beach community.

Final Report and Receipts

Recipients will submit copies of paid receipts/invoices and a written report to the City Manager's Department to review the documents to ensure that funds were spent in compliance with the application. Applicant(s) will be required to reimburse the City of Solana Beach for any inappropriately expended funds.

Prior Financial Assistance

Information provided on the application will be used to review prior grant management and performance history. Significant non-compliance issues will be taken into consideration and may affect future funding decisions by the City Council.

Community Grant Program FY 2023-24 Key Dates:

April 27, 2023 Distribute Request for Proposals and issue press/social media notifications.

May 25, 2023 Deadline for Request for Financial Assistance Applications. City Manager will review each application and make recommendations based upon:

- 1) Completed application;
- 2) Clear indication of the grant amount requested;
- 3) Timely receipt of grant applications and attachments; and
- 4) Benefit to Solana Beach and conformity with threshold criteria.

- June 14, 2023 First Council Review: All eligible grant applications will be considered by the City Council. Review and public comment/presentations will be accepted.
- June 28, 2023 Final Council Review: City Council approves grant recipients. Following City Council award, the City Manager will be directed to issue awards to recipients. Announcement of recipients will be made to the community via public notification.
- May 1, 2024 Letter will be sent to FY 2023-24 recipients reminding them to submit their reports and copies of receipts by May 31, 2024.
- May 31, 2024 All FY 2023-24 recipients must submit copies of paid receipts/invoices and a written report that includes the number of citizens served and outcome of grant funded activity. If no report and/or paid receipts/invoices are received, recipient will be required to immediately reimburse City of Solana Beach grant funds.
- July 2024 At the City Council Meeting in July 2024, the City Manager provides the Final Report for FY 2023-24 Grant Recipients to the City Council.

If a determination is made that funds were expended inappropriately, City Council will direct recipients to reimburse the City of Solana Beach for the designated amount of award.

Electronic Submittals

The City is requesting that all grant applications be submitted electronically to dking@cosb.org and pletts@cosb.org. If, for whatever reason, the applicant does not have access to email, applicants can contact dking@cosb.org or pletts@cosb.org to make alternate plans for submittal.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The approved FY 2023-24 Budget contains fiscal appropriations in the amount of \$25,000 to be used to fund community grants. All fiscal appropriations are budgeted under the Mayor/City Council Fund 100-5100-65320 – Contribution to Other Agencies.

WORK PLAN:

N/A

OPTIONS:

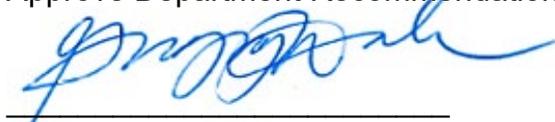
- Approve Staff recommendation
- Approve Staff recommendation with modifications
- Deny Staff recommendation

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council approve Resolution No. 2023-031 authorizing the FY 2023-24 Community Grant Program.

CITY MANAGER RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution No. 2023-031
2. FY 2023-24 Application Guidelines
3. FY 2023-24 Grant Application

RESOLUTION NO. 2023-031

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING AND AUTHORIZING THE COMMUNITY GRANT PROGRAM FOR FISCAL YEAR 2023-24

WHEREAS, the City Council approves the allocation of \$25,000 for the purpose of funding the Community Grant Program in the Fiscal Year (FY) 2023-24 Proposed Budget; and

WHEREAS, the City Council approves the solicitation and request for proposals for grant applications to be initiated on April 27, 2023 and the application period to close on May 25, 2023, at 5:00 p.m.

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

1. That the above recitations are true and correct.
2. That the annual solicitation of grant proposals from community service organizations who meet the grant program guidelines for the Community Grant Program for the FY 2023-24 funds of \$25,000 are approved and authorized.

PASSED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, held on the 8th day of March 2023, by the following vote:

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

LESA HEEBNER, City Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk

City of Solana Beach
Community Grant Program
Request for Financial Assistance

FY 2023-24 APPLICATION

All Applications MUST BE RECEIVED by 5:00 p.m. Thursday, May 25, 2023.

Please Print Clearly or Type

All requests will be determined by the following criteria:

Name of Organization: _____

Mailing Address: _____

City _____ State _____ Zip _____

Contact Person: _____

Daytime Phone: _____

Evening Phone: _____

Email address: _____

1. W-9 must be attached
Summary of organization's budget must be attached
Proposed program budget must be attached
Financial and Tax Statements (see Application Guidelines) must be attached
2. A copy of the California Franchise Tax Board Entity Status Letter must be attached, showing exemption under Section 23701d or Internal Revenue Code section 501(c)(3)
3. Has your organization received financial assistance from the City before?
Yes · No ·
If yes, what activities and which fiscal year? _____

4. Amount requested for FY 2023-24 \$ _____
5. Proposed Total Program Costs: \$ _____
(Includes all estimated costs to conduct proposed activity/program.)
6. Title of Proposed Program/Service: _____

7. Grant funds must be used for services or materials directly associated to proposed activity. Please describe how grant funds will be used:

(Attach extra sheet, if necessary.)

8. Estimated number of S.B. residents to be served by proposed program: _____

9. Program Dates/Location:

10. Anticipated Program Objectives or Accomplishments:

11. How will the organization acknowledge the City's financial contribution to the community/beneficiaries of the proposed activity?

12. Will there be any matching funds or other grants that would be applied to this program or service? If awarded this grant, will that enable other funding sources?

13. Will volunteers be used for the proposed program or service and, if so, will they reduce expenses?

14. If the proposed program or service is only awarded partial funding, will it still move forward? Will the program or service be scaled back and/or is there a threshold at which it will not move forward?

Acknowledgment of Responsibility:

Authorized Signature assumes all responsibility for developing and implementing proposed activities or events in this application, including public acknowledgment of the City's financial contribution. Authorized signature will comply with all accounting and budget procedures outlined by the City. Authorized signature and accompanying group will hold harmless the City of Solana Beach from all losses, claims, accidents and problems associated, directly or indirectly with the development and implementation of proposed activities or events.

Authorized Signature of Organization

Date

ALL INFORMATION REQUESTED ON THIS APPLICATION MUST BE COMPLETED AS A CONDITION FOR BEING CONSIDERED FOR PUBLIC FUNDS BY THE CITY COUNCIL OF SOLANA BEACH.

City of Solana Beach Community Grant Program

Request for Financial Assistance

FY 2023-24

APPLICATION GUIDELINES

The City of Solana Beach is soliciting grant applications until 5:00 p.m., Thursday, May 25, 2023. The City Council has a total of \$25,000 available for community organizations. A maximum of two grant applications may be submitted per community organization. Grants will be awarded with a maximum award of \$5,000.

Request for Grants are limited to non-governmental, nonprofit organizations serving the Solana Beach community. Excluded entities include the following: County of San Diego, Municipal Organizations, Special or Water Districts, school districts or schools (but not their supporting organizations), and private individuals.

Grant Application & Documents Required

Applicants must complete the attached application form and provide the following documents:

- Summary of organization's (overall) budget
- Proposed program budget detailing costs which are fair and reasonable.
- Financial Statements including the Balance Sheet and Revenue/Expenditure Statement, and the Tax Statements filed for the prior year.
- W-9 Form
- California Franchise Tax Board Entity Status Letter showing nonprofit status

*Non-Profit Organizations
Organizations which have filed as a nonprofit with the State of California must attach a copy of its current year 501(c)3 nonprofit certification form. Organizations that are "recognized" nonprofits within the community but have not formally filed with the State, will be considered at the City Council's discretion. Note, any decision made by City Council is final in regards to the community grants process.*

Program Requirements

- Must serve the residents of Solana Beach.
- Preferred to be a new program or one that provides a new or unique aspect to an existing program. Funds are available as one-time seed-money to augment a community program.

Application Submittal and Deadline: NO LATER THAN 5:00 p.m. Thursday, May 25, 2023

It is the City's preference that completed forms be received via email to dking@cosb.org and copied to pletts@cosb.org. If email submission is not possible for an applicant, hard copies may be dropped off at City Hall 635 South Highway 101, Solana Beach, CA. 92075, Attn: Community Grants Program.

Please contact Dan King, Assistant City Manager, at (858) 720-2477 if you need additional information.

Applications will be judged and selected on the following criteria:

Preferences will be given towards non-profits that provide services/goods to Solana Beach groups or individuals with special economic needs that are not being met in the economic environment. These can be non-profits whose funding has been reduced or eliminated and are unable to serve these populations in need.

- Program costs that are fair and justifiable.
- Program originality (new and unique).
- Consideration may be given to applications that collaborate or partner with other organizations.
- Consideration may be given to applications which receive matching funds from other organizations.
- Consideration may be given to applications as decided by the City Council.
- Information provided on application will be used to review prior grant management and performance history. Significant non-compliance issues will be taken into consideration and may affect future funding decisions by the City Council.

Grant Award and Expenditures:

The City Council, at its discretion, may modify the grant award to qualified recipients based on qualifying criteria, number of qualified applicants received, and purpose of request to meet areas as enumerated by the City Council that benefit the Solana Beach community. The total of all grant awards may not exceed \$25,000.

Grants will be funded after the approval of the awards by the City Council. Expenses must be directly related to services or materials of proposed activity during the grant award period (Date of Grant Approval through May 31, 2024). Grantees will be required to maintain records to support claimed expenditures and project accomplishments. Funds for the proposed project must not be used to replace or offset funding sources normally available for any portion of the project, nor be used by the applicant to fund/supplement its own monetary giving.

Final Report and Receipts:

The City Manager's Office will review submitted copies of paid receipts/invoices and a written report to ensure that funds were spent in compliance with the approved application. Applicant(s) will be required to reimburse the City of Solana Beach all inappropriately spent funds.

PROGRAM FY 2023-24 KEY DATES:

April 27, 2023	Distribute Grant Program Application, have it available and solicit for applications.
May 25, 2023	<u>DEADLINE for Request for Financial Assistance Applications (5:00pm).</u> The City Manager's Office will review each application and make recommendations based upon: <ol style="list-style-type: none">1) Completed application;2) Clear indication of the grant amount requested;3) Receipt of grant application before the deadline WITH attachments;4) Benefit to Solana Beach community and conformity with threshold criteria.
June 14, 2023	<u>First Council Review:</u> All eligible grant applications for Fiscal Year 2023-24 will be considered by City Council. Review and public comment/presentations will be accepted.
June 28, 2023	<u>Final Council Review:</u> City Council makes decision and approves grant recipients. The City Manager will be directed to issue awards to recipients. Announcement of grant award recipients is made to community via public notification.
May 1, 2024	Letter will be sent to FY 2023-24 grant recipients reminding them to submit their reports and copies of receipts by May 31, 2024. (Exception to the May 31, 2024 completion date can be made with proof of good cause.)
May 31, 2024	All FY 2023-24 grant recipients must submit copies of paid receipts/invoices and written report, that includes the number of citizens served and outcome of grant funded activity. If no paid receipts/invoices are received, recipient will be required to immediately reimburse City of Solana Beach grant funds.

All grant recipients' final reports will be submitted before the City Council for approval of expenditures. If determination is made that funds were expended inappropriately, Council will direct Grant recipients to reimburse the City of Solana Beach for the designated amount of award.



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
ORIGINATING DEPT: Finance Department
SUBJECT: **City Council Consideration of Resolution 2023-027 Approving an Amendment to the Professional Services Agreement with Hinderliter de Llamas and Associates for Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23.**

BACKGROUND:

On August 28, 2019, the City Council authorized the City Manager to enter into a Professional Services Agreement (PSA) with Hinderliter de Llamas and Associates (HDL) for a term of five years to provide sales tax information and audit services. The services were authorized for fiscal years FY2019/20 through FY2023/24 for an amount not to exceed \$20,000 per agreement year for a total of \$100,000.

This item is before the City Council for the consideration of Resolution 2023-027 (Attachment 1) which would authorize the City Manager to authorize this first amendment to the Professional Services Agreement with HDL, for a one-time increase in compensation of \$25,000 and an agreement amount not to exceed \$45,000 for Sales, Transaction and Use Tax Audit Services for Fiscal Year (FY) 2022/2023 bringing the total five-year authorized amount to \$125,000.

DISCUSSION:

Sales tax revenue is the second largest source for the General Fund. It comprises approximately 18% of the General Fund's revenues. HDL provides the City with detailed quarterly sales tax information as well as custom reports that allow the City to monitor the trends of the following geographical areas:

COUNCIL ACTION:

- Lomas Santa Fe Plaza
- Towne Centre West
- Cedros Design District
- Highway 101

The City also receives reports of sales tax generated by industry types and the top 100 businesses. In addition, HDL generates a report of the top 20 deviating businesses which alerts the City of any potential issues with sales tax revenues.

Along with the compilation of data, HDL provides auditing services to ensure that the City is receiving the proper allocation from sales tax that is generated in the City. Common errors that are monitored and corrected include transposition errors, erroneous consolidation of multiple outlets, misreporting of point-of-sale to the wrong location, delays in reporting new outlets, misallocating use tax payments to the allocation pools or wrong jurisdiction, and erroneous fund transfers and adjustments.

If the results of their audit do not produce additional sales tax revenue to the City, HDL receives no additional income. However, if the audit conducted by HDL results in additional sales tax revenue to the City, then HDL would receive 15% of the newly identified sales tax revenue generated from the audit.

During the first three quarters of calendar year 2022 (last 2 quarters in FY2022 and first quarter in FY2023), HDL has recovered \$177,332.80 for the City of Solana Beach resulting in \$26,599.92 in fees for HDL and a net gain to the City of \$150,732.88. City Staff estimates needing an additional \$25,000 for audit recovery fees by HDL in FY2023.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

The Fiscal Year 2022/23 Adopted Budget appropriated \$20,000 for Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23. This amendment would increase compensation by \$25,000 bringing the amount to a not-to-exceed amount of \$45,000 for FY 2022/23 and from \$100,000 to \$125,000 for the total five-year term agreement.

Staff is recommending that \$25,000 be appropriated from the General Fund – Undesignated Reserves to the Professional Services Agreement with Hinderliter de Llamas and Associates. The additional amount will cover Sales, Transaction and Use Tax Audit Services for the remainder of FY 2022/23.

WORK PLAN:

N/A

OPTIONS:

- Approve Staff recommendation.
- Do not approve Staff recommendation.
- Provide direction to Staff.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council Adopt Resolution 2023-027:

1. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Hinderliter de Llamas and Associates, in an amount not to exceed \$45,000, for Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23 which increases the total authorized contract from \$100,000 to \$125,000.
2. Appropriating \$25,000 from the General Fund – Undesignated Reserves to the Professional Services Agreement with Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23.
3. Authorizing the City Treasurer to amend the Fiscal Year 2022/23 Adopted Budget accordingly.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Resolution 2023-027

RESOLUTION 2023-027

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING AN AMENDMENT TO INCREASE FUNDING TO THE PROFESSIONAL SERVICES AGREEMENT WITH HINDERLITER DE LLAMAS AND ASSOCIATES, A CALIFORNIA CORPORATION FOR SALES, TRANSACTION & USE TAX AUDIT SERVICES

WHEREAS, the City Council authorized the City Manager to enter into a five-year term Professional Service Agreement (PSA) with Hinderliter de Llamas and Associates, (HDL), in an amount not to exceed \$100,000 or \$20,000 per fiscal year for Sales Tax information and Audit Services for Fiscal Year 2019/20 through 2023/24; and

WHEREAS, Staff reviewed the consultants results through the 3rd Quarter of Calendar Year 2022. The Consultant has recovered one hundred and seventy-seven thousand (\$177,000) in Sales Tax for the City in the those first three quarters resulting in a net of the 15% fee gain of \$151,000; and

WHEREAS, City Staff is proposing to increase the compensation amount by \$25,000, bringing the contract amount not to exceed to \$45,000 for Fiscal Year (FY) 2022/23 and total contract authorization from \$100,000 to \$125,000. The additional amount will cover the estimated additional Audit Recovery Fees needed for FY 2022/23.

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 the City Manager to execute an amendment to the Professional Services Agreement with Hinderliter de Llamas and Associates, in an amount not to exceed an additional \$25,000, for Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23.
3. That the City Council authorizes the appropriation of \$25,000 from the General Fund – Undesignated Reserves to the Professional Services Agreement with Sales, Transaction and Use Tax Audit Services for Fiscal Year 2022/23.

4. That the City Council authorizes the City Treasurer to amend the Fiscal Year 2022/2023 Adopted Budget accordingly.

PASSED AND ADOPTED this 8th day of March 2023, 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 –

LESA HEEBNER, 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 8, 2023
ORIGINATING DEPT: Community Development
SUBJECT: **CITY COUNCIL CONSIDERATION OF RESOLUTION 2023-028 AUTHORIZING INITIAL CONSTRUCTION FUNDING FOR USACE 50-YEAR PROJECT**

BACKGROUND:

The U.S. Army Corps of Engineers (USACE), Solana Beach & Encinitas Coastal Storm Damage Reduction Project (Project) has been in planning stages for approximately 20 years. The Project will advance critical local, regional and statewide coastal resilience goals and reduce erosion of the public beach over the initial 50-year authorization period of 2023/2024 through 2074.

With Project implementation now planned for the end of 2023 or early 2024, the USACE has formally requested that the City of Solana Beach and the City of Encinitas (Cities), as the Local Sponsors, contribute the required Local and State cost-share of funds for Project construction. This Project is cost shared between the USACE, the Cities and the State of California at a ratio of 65% Federal and 35% Non-Federal. California State Parks has been an essential funding partner and will contribute up to 85% of the 25% local cost share match. All funds must be received by the USACE prior to the contracting process which is scheduled to occur in May 2023.

The purpose of this report is to request authorization for City Staff, via Resolution 2023-028 (Attachment 1), to transmit two electronic payments to the USACE to enable Project construction. Payment 1, due no later than March 10, 2023, is the local cost share coming from the City in the amount of \$1,359,706 (Attachment 2). Payment 2 is the share coming from California State Parks in the amount of \$7,705,000 (Attachment 3).

DISCUSSION:

The congressionally authorized 50-year USACE Project will restore approximately eight miles of public beach within the cities of Solana Beach and Encinitas and is expected to

CITY COUNCIL ACTION:

generate benefits beyond the project footprint both upcoast and downcoast. The Project will consist of initial placement of 1,040,000 cubic yards of sand and the beaches would be re-nourished regularly over a 50-year period.

As of October 2022, the USACE calculated the Project to cost \$43,331,000 inclusive of federal and non-federal costs. The federal cost share is 65% of the total project costs which equates to \$28,165,000. The federal cost has been fully funded by a \$30,500,000 award from the bipartisan infrastructure bill for FY 23. The non-federal project cost share is 35% which equates to \$15,166,100. As shown in the table below, this amount is divided between the Cities in proportion to the relative construction costs which correlate to differing volumes of sand placed in each city. Solana Beach project costs are \$10,161,100 (i.e., 67% of the total project cost and 700,000 cubic yards of sand) and Encinitas costs are \$5,005,000 (i.e., 33% of the total project cost and 340,000 cubic yards of sand) for initial construction.

	Initial Nourishment
Total	\$43,331,000
Fed Share (65%)	\$28,165,000
Nfed Share (35%)	\$15,166,000
Encinitas (33%)	\$5,005,000
Solana Beach (67%)	\$10,161,000

The Project has been awarded a Grant from State Parks in the amount of \$11,500,000 for the non-federal (local) share for initial construction. Of that amount, \$7,705,000 has been allocated to the City based on sand volume being provided. Staff is requesting Council authorization to receive these funds from State Parks and then to transmit the funds to the USACE as requested. Separately, the USACE has requested an additional contribution from each city to provide additional funding necessary to meet the total required non-federal share of \$15,165,000. While the USACE is not requesting the entire amount needed at this time, the currently requested amount from Solana Beach is \$1,359,706.

To fund its local share of \$10,161,100, the City will use a variety of funding sources including. In addition to the State Grant Funding, the City recently received \$746,150 of Sand Mitigation Funding being held by SANDAG. The City also maintains a Beach Sand Replenishment and Coastal Access Fund funded by 2% of collected transient occupancy tax (TOT). However, of that amount, \$830,000 has been allocated to City projects in our current Capital Improvement Program (CIP), leaving \$317,337 available. Finally, the City has been collecting Sand Mitigation Fees and Public Recreation Impact Mitigation (PRIM) Fee Deposits required by applicants who construct shoreline protection devices along the City's bluffs. At this point in time, however, those fees and deposits are under review for reconciliation based upon our recently adopted Public Recreation Impact Fee to

determine what amounts, if any, should be refunded to project applicants. A breakdown of the funds currently available for this Project is as follows:

Funding Source:	Funding Available:
State Parks Grant Funds	\$7,705,000
SANDAG Beach Sand Mitigation Funds	\$746,150
Sand Replenishment/Coastal Access TOT Fund	\$317,771
Sand Mitigation Fees and PRIM Fee Deposits*	\$969,021
Total Available Funding:	\$9,737,508

* Deposits under review/reconciliation

As noted, the USACE is requesting a total of \$9,064,706 at this time – \$7,705,000 of which will be funded by the State Grant and the remaining \$1,359,706 must be funded by the City. Staff is requesting Council authorization to receive the State Parks Grant funds in the amount of \$7,705,000 and then to transmit the funds to the USACE. For the City contribution of \$1,359,706, the \$746,150 of SANDAG Sand Mitigation funds will be used leaving an additional \$613,556 left to be funded at this time. Given that the Sand Mitigation and PRIM Fee Deposits are currently the subject of a review and reconciliation process, Staff does not recommend utilizing these funds at this time. Rather, it is recommended that \$300,000 of the Sand Replenishment TOT funds be used combined with \$313,556 of undesignated General Fund reserves. Once the reconciliation of the Sand Mitigation and PRIM Fee Deposits is completed, Staff recommends that Council authorize either the reimbursement of the General Fund reserve with \$313,556 of Sand Mitigation and PRIM Fee Deposit funds or to utilize additional grant funds as described below.

Last fall, the USACE generated an updated and revised cost estimate for initial construction of the Project. It is anticipated that next year, the USACE will request an additional increment of non-federal funding from the City in the amount of \$1,391,000 which will also be required as the City’s initial application for funding from State Parks was submitted prior to the increase in costs that occurred in October 2022. Given this shortfall, in December 2022, the City submitted a joint grant application with the City of Encinitas for supplemental grant funding in the amount of \$1,391,100 to the State. This amount, which when combined with the 2022 State Parks joint grant award of \$11,500,000, equals \$12,891,100 which represents the full 85% of the local/state cost share needed for initial construction of the Project. If this supplemental State Parks grant submitted in December 2022 is successful, a budget adjustment will be requested to allocate in these funds to the Project. This would provide the City with the option to reimburse the General Fund in the amount of \$313,556 as described above.

CEQA COMPLIANCE STATEMENT:

Payment of invoices is not a project under the California Environmental Quality Act (CEQA). A Final Joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) was certified in 2015 for the Solana Beach – Encinitas Shoreline Coastal Storm Damage Reduction Project.

FISCAL IMPACT:

The purpose of this Staff Report and Resolution is to request Council authorization to electronically transmit payments to the USACE. Staff is requesting authorization to transmit the local funding share of \$1,359,706 to the USACE by March 10, 2023. Once these funds have been sent to, and received by, the USACE, this documentation must be provided to State Parks which will then initiate their process to send the City a paper check in the amount of \$7,705,000. Once these funds are received by the City from State Parks, the City is to pass-through and electronically transmit the funds to the USACE as quickly as is possible to keep the Project on schedule. Staff is also requesting authorization to receive the State Parks Grant funds in the amount of \$7,705,000 and then to transmit the funds to the USACE.

Together, the City will contribute a total of \$9,064,706 in non-federal funds in 2023. Additional funds are anticipated to be requested by the USACE in 2024 to account for the total Solana Beach cost share amount of \$10,161,100. Thus, an additional amount of \$1,096,394 will be due to the USACE after the start of project construction in 2023/2024. The source of this additional funding is anticipated either to be from a second construction grant to be provided by State Parks or from the City's Sand Mitigation funds (TOT, PRIM or Sand Mitigation funds).

As noted above, to provide the \$1,359,706 requested by the USACE, Staff recommends using \$300,000 of Sand Replenishment TOT funds combined with \$313,556 of undesignated General Fund reserves. Once the reconciliation of the Sand Mitigation and PRIM Fee Deposits is completed, Staff recommends that Council authorize either the reimbursement of the General Fund reserve with \$313,556 of Sand Mitigation and PRIM Fee Deposit funds or to utilize additional grant funds received as described herein.

WORK PLAN:

Application for DBW funds is consistent with the implementation of Community Character Priorities and the ongoing implementation of beach sand replenishment projects and programs as identified in the Work Plan Items A.3, Coastal Resiliency Programs.

OPTIONS:

- Approve Staff recommendation.
- Deny Staff recommendation.
- Provide other direction to Staff.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council consider adoption of Resolution 2023-028 authorizing:

1. The City Manager, or his designee, to request and accept payment of all grant

funding successfully obtained from the State of California Department of Parks for ultimate pass-through to the USACE as part of the local cost share match.

2. The City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023 for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$1,359,706.00, no later than March 10, 2023, to support initial construction of the Project.
3. The use of Sand Replenishment/Coastal Access Funds (Capital Project Fund 450) in the amount of \$300,000.00 and \$313,556.00 of General Fund Reserves for payment of the \$1,359,706.00 to support initial construction of the Project.
4. The use of Sand Mitigation and Public Recreation Impact Mitigation funds or newly secured Grant Funds to reimburse \$313,556.00 to the General Fund when such funding is available.
5. The City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023 for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$7,705,000 via California State Parks, Division of Boating and Waterways, to support initial construction of the Project.
6. The City Manager to act on behalf of the City of Solana Beach, in consultation with the City Attorney, to negotiate and execute all agreements and amendments and to pay any anticipated local cost share requirements related to the USACE Project on behalf of the City.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Resolution 2023-028
2. USACE Request for \$1,359,706 of Non-Federal Funds
3. USACE Request for \$7,705,000 of Non-Federal Funds

RESOLUTION 2023-028

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING TRANSMITTAL OF REQUIRED LOCAL COST SHARE FUNDS TO THE USACE FOR INITIAL PROJECT CONSTRUCTION

WHEREAS, the City of Solana Beach continues to proactively manage its shoreline and public beaches through comprehensive evaluations of existing conditions and identification of areas where erosion threatens public beaches or other critical public infrastructure and develop coastal resiliency solutions that support local and regional goals; and

WHEREAS, coastal beach and bluff erosion is an existing challenge faced by the City and is anticipated to be exacerbated by rising seas in the future; and

WHEREAS, coastal erosion has affected critical public infrastructure in the City including coastal accessways and public beaches, roadways, public utilities, parking areas, pedestrian paths, and other critical public infrastructure; and

WHEREAS, the City desires to protect existing critical infrastructure in place and is seeking supplemental funding to support implementation of the City's goals to protect critical public infrastructure including the public beach; and

WHEREAS, a key coastal resiliency project the City has been developing jointly with the City of Encinitas, State of California Department of Parks and Recreation, Division of Boating and Waterways and the U.S. Army Corps of Engineers (USACE) is known as the San Diego County, Solana Beach and Encinitas, Coastal Storm Damage Reduction Project; and

WHEREAS, the mission of the State of California Department of Parks and Recreation, Division of Boating and Waterways' Public Beach Restoration Program is to preserve and protect the California coastline by restoring and maintaining natural and recreational resources and minimizing damages by natural or man-made induced beach erosion; and

WHEREAS, the California Legislature approved the Public Beach Restoration Program in 2001-2002; and

WHEREAS, since 2000, the City has remained focused on taking the necessary planning steps needed to implement the Coastal Storm Damage Reduction Project; and

WHEREAS, in 2022, the Project received the full amount of federal construction funding required for the Project to be successfully implemented in 2023/2024; and

WHEREAS, the USACE now requires the non-federal funds to initiate construction of the San Diego County, Solana Beach and Encinitas, Coastal Storm Damage Reduction Project in 2023; and

WHEREAS, the cost for initial construction for the Solana Beach & Encinitas Coastal Storm Damage Reduction Project was updated in October 2022 and is \$43,331,000, with the federal share (65%) for initial construction approximated at \$28,165,000 and the non-federal share (35%) is estimated at \$15,166,900; and

WHEREAS, in 2022, State Parks approved a construction grant for the Project in the amount of \$11,500,000 on a Project cost as estimated in 2021; and

WHEREAS, State Parks will provide grant funding up to a maximum of 85% cost share of the non-federal cost which amounts to a potential State Parks grant amount of \$12,891,100; and

WHEREAS, in December 2022, the Cities submitted a supplemental construction grant funding application to State Parks to increase the local grant request to a full 85% of the non-federal share; and

WHEREAS, the joint grant application submitted with the City of Encinitas for the State of California Department of Parks and Recreation Shoreline Erosion Protection Grant for \$1,391,100 in supplemental construction funding which when added to the 2022 State Parks grant award of \$11,500,000 would represent 85% of the non-federal share of construction costs for the Coastal Storm Damage Reduction Project equal to \$12,891,100; and

WHEREAS, in January 2023, the USACE formally requested payment of funds to initiate Project construction later this year and all funds must be in place prior to the USACE contract award for construction; and

WHEREAS, the City must transmit \$1,395,000 to the USACE by March 10, 2023 for the City's portion of the local cost share; and

WHEREAS, once this payment has been made to the USACE, the City must provide documentation to State Parks which will enable State Parks to release funds to the City in the amount of \$7,705,000 which will then be passed through to the USACE; and

WHEREAS, once the USACE receives these monies from the City, a construction contract can be awarded by the USACE to initiate construction of the beach sand replenishment Project later this year.

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 hereby directs the City Manager, or his designee, to request and accept payment, of all grant funding successfully obtained from the State of California Department of Parks for ultimate pass-through to the USACE as part of the local cost share match.
3. That the City Council authorizes the City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023, for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$1,359,706.00, no later than March 10, 2023, to support initial project construction of shoreline protection to protect critical public infrastructure along the Solana Beach coastline.
4. That the City Council authorize the use of Sand Replenishment/Coastal Access Funds (Capital Project Fund 450) in the amount of \$300,000.00 and \$313,556.00 of General Fund Reserves for payment of the \$1,359,706.00.
5. That the City Council authorize the use of Sand Mitigation and Public Recreation Impact Mitigation funds or newly secured Grant Funds to reimburse \$313,556.00 to the General Fund when those funds are available.
6. That the City Council authorizes the City Manager, or his designee, to pay the invoice from the USACE dated January 26, 2023 for the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$7,705,000 via California State Parks, Division of Boating and Waterways, to support initial project construction of shoreline protection to protect critical public infrastructure along the Solana Beach coastline.

PASSED AND ADOPTED this 8th day of March 2023 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 –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CALIFORNIA 90017-3489**

January 26, 2023

SUBJECT: Request for Non-Federal Funds, City of Encinitas for Initial Construction of the San Diego County, CA (Encinitas – Solana Beach) Project, CWIS#013609, P2#104716, Advance Account # 1441

Mr. Gregory Wade
City Manager
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

Dear Mr. Wade:

The purpose of this letter is to request the incremental non-Federal cash contribution from the City of Solana Beach for Federal Fiscal Year (FY) 2023 for the amount of \$1,359,706.00. Please make your payment of \$1,359,706.00 by Electronic Funds Transfer (EFT). The procedure for this method follows.

Payment by Electronic Funds Transfer (EFT) - Preferred Method:

This method can save weeks of processing and streamline receipt of funding. Please see the enclosed Standard Operating Procedure (SOP) for Electronic Funds Transfer by Non-Federal Sponsors from our Finance Center in Millington, Tennessee. This SOP provides instructions and information for your financial institution on how to use the EFT procedures using either the ACH CCD+ format or the ACH CTX format. The following information is provided to you as discussed in paragraph 4.c of the enclosed SOP:

- a. Receiving ABA Number: 021030004
- b. Account Number: 00008736
- c. Account/Receiver Name: USACE Finance Center
- d. Receiving Bank: Cash Link-ACH Receiver
- e. Bank Address: Riverdale MD
- f. EROC: L1
- g. Transfer Type: EFT
- h. Amount: \$1,359,706.00
- i. ROV Number: 2186
- j. Advance Account Number: 1441
- k. Vendor ID Number: W4X3D3

If you have any additional questions or comments, please do not hesitate to contact the project manager, Ms. Susan M. Ming, at (213) 452-3789 or e-mail address Susan.M.Ming@usace.army.mil.

Sincerely,

Charles S. Dwyer

for

Justin Gay
Deputy District Engineer
for Project Management



**DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
LOS ANGELES DISTRICT
915 WILSHIRE BOULEVARD, SUITE 930
LOS ANGELES, CALIFORNIA 90017-3489**

January 26, 2023

SUBJECT: Request for Non-Federal Funds, City of Encinitas for Initial Construction of the San Diego County, CA (Encinitas – Solana Beach) Project, CWIS#013609, P2#104716, Advance Account # 1441

Mr. Gregory Wade
City Manager
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

Dear Mr. Wade:

The purpose of this letter is to request the incremental non-Federal cash contribution from the City of Solana Beach via Division of Boating and Waterways for Federal Fiscal Year (FY) 2023 for the amount of \$7,705,000.00. Please make your payment of \$7,705,000.00 by Electronic Funds Transfer (EFT). The procedure for this method follows.

Payment by Electronic Funds Transfer (EFT) - Preferred Method:

This method can save weeks of processing and streamline receipt of funding. Please see the enclosed Standard Operating Procedure (SOP) for Electronic Funds Transfer by Non-Federal Sponsors from our Finance Center in Millington, Tennessee. This SOP provides instructions and information for your financial institution on how to use the EFT procedures using either the ACH CCD+ format or the ACH CTX format. The following information is provided to you as discussed in paragraph 4.c of the enclosed SOP:

- a. Receiving ABA Number: 021030004
- b. Account Number: 00008736
- c. Account/Receiver Name: USACE Finance Center
- d. Receiving Bank: Cash Link-ACH Receiver
- e. Bank Address: Riverdale MD
- f. EROC: L1
- g. Transfer Type: EFT
- h. Amount: \$7,705,000.00
- i. ROV Number: 2187
- j. Advance Account Number: 1441
- k. Vendor ID Number: W4X3D3

If you have any additional questions or comments, please do not hesitate to contact the project manager, Ms. Susan M. Ming, at (213) 452-3789 or e-mail address Susan.M.Ming@usace.army.mil.

Sincerely,

Charles S. Dwyer

for

Justin Gay
Deputy District Engineer
for Project Management



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
ORIGINATING DEPT: Community Development Department
SUBJECT: **City Council Consideration of Resolution 2023-030 to Amend a Professional Service Agreement with Kimley-Horn and Associates Inc. to Provide Professional Planning Services to Update the City's Housing and Safety Elements**

BACKGROUND:

Housing Element Law, enacted in 1969, mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that, in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems which provide opportunities for, and do not unduly constrain, housing development.

In August 2019, the City Council authorized the City Manager to execute a Professional Services Agreement (PSA) to update the City's Housing and Safety Element updates. In October 2020 and September 2021, the City Council approved amendments to the agreement for an amount not to exceed \$156,200 to address newly adopted statutes and additional services necessary to complete the General Plan Housing and Safety Element update.

This item is before City Council to consider approving Resolution 2023-030 (Attachment 1) authorizing the City Manager to execute Amendment #4 to the PSA with Kimley-Horn and Associates Inc. for an additional \$15,000 and adjusting the total contract amount not to exceed \$171,200 to complete the Housing, Safety and Environmental Justice Element updates.

COUNCIL ACTION:

DISCUSSION:

Kimley-Horn has been assisting with the City's 6th Cycle Housing and Safety Element updates. On April 14th, the City Council adopted the City's 6th Cycle Housing Element Update, which was subsequently forwarded to the Department of Housing and Community Development (HCD) for review and certification. Since submittal of the Draft Housing Element to HCD, the City has been working closely with HCD on requested revisions to obtain HCD's certification.

The original contract for Kimley-Horn was to complete the Housing and Safety Elements for an amount not to exceed \$80,000. In October 2020, Amendment #1 was approved increasing the contract by \$65,000, for an amount not to exceed to \$145,000. Amendment #1 added services that included an Environmental Justice Element and to address newly adopted statues and guidelines that were implemented by HCD.

In September 2021, the City Council approved Amendment #2 which increased the contract amount by \$11,200, for a total contract amount not to exceed \$156,200. The \$11,200 was for additional time and services to address additional comments from HCD on the City's Housing Element Update.

In August 2022, the City Council approved Amendment #3 which extended the term of the contract through September 2023.

Since the execution of the third amendment, HCD provided additional comments to the City's Housing Element Update. The cost for additional time and services to complete responses to HCD comments is \$15,000. This also includes additional cost for services to complete the Safety and Environmental Justice Element. The proposed total contract amount would be for an amount not to exceed \$171,200.

Most, if not all, of the costs for the Housing, Safety and Environmental Justice Elements will be covered by grant funds received from HCD. The City was approved for a Local Early Action Planning (LEAP) Grant in the amount of \$65,000 and Planning Grant Program – SB 2 (PGP) in the amount of \$160,000. Further discussion of the Grants and costs are outlined in the Fiscal Impact Analysis below.

CEQA COMPLIANCE STATEMENT:

The proposed amendment is not a project under the California Environmental Quality Act (CEQA).

FISCAL IMPACT:

In 2019, the City budgeted \$100,000 of General Fund dollars to complete the City's Housing and Safety Element Updates. The City was subsequently awarded grants in the amount of \$65,000 (LEAP) and \$160,000 (Planning Grant Program – SB 2) to complete the City's Housing, Safety, and Environmental Justice Elements, LIP/LUP adoption and associated Zoning Code Amendments for a total of \$225,000. The amount of grant funds budgeted for Housing, Safety and Environmental Justice Element adoption is currently

\$145,000. Staff intends to modify the line-item budget within the Planning Grant Program (PGP) to cover the additional \$26,200 in consultant service costs for the Housing, Safety and Environmental Justice Element Updates. The remaining \$53,800 of the LEAP and PGP grant funds would be allocated for the remaining LIP/LUPA and Zoning Code Amendments.

If, for some reason, HCD does not approve the line item adjustments requested by the City, the \$26,200 we be appropriate from the General Fund. This would still be a \$73,800 cost savings to the General Fund. Below is the grant funding and budget for the Housing Element Updates.

LEAP Grant	\$ 65,000
PGP Grant	160,000
Total Grant Funds	\$ 225,000
Less:	
PSA w Kimley-Horn	156,200
Requested Increase	15,000
Total Kimley-Horn	\$ 171,200
 Remaining Grant Funds	 \$ 53,800
 Current Budget	 145,000
Budget Increase	26,200
Total Budget	\$ 171,200

WORK PLAN:

Authorization to execute this contract amendment will complete the key task in bullet one of Community Character Priority A.1 (General Plan Update), to select a consultant to assist with the City’s Housing and Safety Element update.

OPTIONS:

- Approve Staff recommendation.
- Do not approve Staff recommendation.
- Provide alternative direction to Staff.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council consider adoption of Resolution 2023-030 authorizing the City Manager to execute Amendment #4 to the Professional Services

Agreement with Kimley-Horn and Associates Inc. increasing the contract amount by \$15,000 for an amount not to exceed \$171,200.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation



Gregory Wade, City Manager

Attachments:

1. Resolution 2023-030
2. Kimley Horn amendment request

RESOLUTION 2023-030

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING PROFESSIONAL SERVICES AGREEMENT AMENDMENT #4 WITH KIMLEY-HORN AND ASSOCIATES INC. FOR PROFESSIONAL PLANNING SERVICES TO UPDATE THE CITY'S HOUSING AND SAFETY ELEMENTS

WHEREAS, in August 2019, the City Council authorized the City Manager to execute a Professional Services Agreement (PSA) to update the City Housing and Safety Element with Kimley-Horn and Associates (Kimley-Horn) for an amount not to exceed \$79,999; and

WHEREAS, in October 2020, City Council approved an amendment of the Kimley-Horn PSA, in an amount not to exceed \$145,000, to address newly adopted statutes and additional services; and

WHEREAS, in September 2021, City Council approved an amendment of the Kimley-Horn PSA, in an amount not to exceed \$156,200 (additional \$11,200); and

WHEREAS, in August 2022, City Council approved an amendment to extend the Kimley-Horn PSA through September 2023; and

WHEREAS, since the execution of the third amendment to the Kimley-Horn PSA, it was identified that additional time and services were necessary to address additional comments received from the Department of Housing and Community Development; and

WHEREAS, those additional services result in additional costs of \$15,000.

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

1. That the foregoing recitations are true and correct.
2. That the City Council authorizes the City Manager to execute Amendment #4 to the professional service agreement with Kimley-Horn and Associates Inc. for an additional \$15,000, for a total of \$171,200, to complete the City's Housing, Safety and Environmental Justice Element Update.
3. That the City Council approves increasing the Fiscal Year 2023 Miscellaneous Capital Projects Fund budget to cover the additional \$15,000 for the Housing, Safety and Environmental Justice Update.

PASSED AND ADOPTED this 8th day of March 2023, 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 –

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk



February 27, 2023

Mr. Joseph Lim
635 Hwy 101
Solana Beach, CA 92075

RE: *Amendment #4 to the Kimley-Horn Existing Housing Element Contract*

Kimley-Horn requests an amendment to the existing Housing Element and Safety Element contract dated September 1, 2019. This amendment would modify the existing agreement to include services to be performed by Consultant for compensation as set forth below in accordance with the terms of the original Agreement, which are incorporated by reference.

Kimley Horn will supplement the approved Scope of Work for the following tasks:

Scope of Work Task 14. 3rd Adopted Department of Housing and Community Development (HCD) Submittal Draft. Kimley-Horn will prepare one revised document to respond to HCD’s informal review comments as stated in the September 13, 2022 email correspondence. HCD’s review letter requires additional analysis to support the City’s findings relating to the following topics:

- Housing conditions
- Fair housing analysis such as racially concentrated area of affluence (RCAA), site fair housing analysis, and housing mobility
- Sites inventory analysis such as suitability of nonvacant sites and realistic capacity
- Land use controls
- Accessory dwelling units
- Emergency shelters.

Kimley-Horn anticipates 24 hours of work will be needed to complete this task.

Scope of Work Task 15. 4th Adopted Department of Housing and Community Development (HCD) Submittal Draft. Kimley-Horn will prepare one revised document to respond to HCD’s informal review comments as stated in the January 23, 2023 email correspondence. HCD’s review letter requires additional analysis to support the City’s findings relating to the following topics:

- Housing conditions
- Fair housing analysis such as racially concentrated area of affluence (RCAA), site fair housing analysis, and housing mobility, including updated exhibits
- Sites inventory analysis such as suitability of nonvacant sites and realistic capacity
- Group homes of 7+ persons

HCD has continued to update guidance and the refine processes for fair housing analysis throughout the Housing Element Update process. This is communicated through further discussion and detail within the Comment Letters received by the City which have resulted in additional analysis. Specifically, HCD has requested that the City analyze fair housing opportunities and mobility in relation to surrounding areas due to the small geographic size of Solana Beach. Kimley-Horn anticipates 16 hours

of work will be needed to complete this task.

Scope of Work Task 16. Response to State Comments on Safety Element. In coordination with City staff, Kimley-Horn developed the required applications and analysis to submit the draft Safety Element to the California Governor’s Office of Emergency Services (OEM) and CAL FIRE for review. Kimley-Horn will finalize these draft documents following receipt of final OEM/CAL FIRE comments and address one round of remaining comments in anticipation of adoption of the Safety Element. Kimley-Horn will also have up to two (2) people attend one CAL FIRE Board Meeting virtually for approval.

Scope of Work Task 17. HCD/City Meetings. The remaining updates to the Housing Element to address HCD’s comments require additional coordination with City Staff and HCD. Kimley-Horn will anticipate 15 total hours of meeting time will be necessary to complete a the final draft document prior to resubmittal to HCD. This includes team meeting with City Staff and meeting with HCD staff to coordinate responses/edits to the Housing Element based on HCD feedback.

For the services set forth above, Client shall pay Consultant the following compensation.

Task to be Amended	Fee
Task 14. 3 rd Adopted HCD Submittal Draft	\$5,300
Task 15. 4 th Adopted HCD Submittal Draft	\$3,500
Task 16. Safety Element Comments	\$2,900
Task 17. HCD/City Meetings	\$3,300
Total:	\$15,000

With Kimley-Horn, you should expect more and will experience better. Please contact me at (425) 689-5064 or nick.chen@kimley-horn.com should you have any questions.

Sincerely,



Nick Chen, AICP



STAFF REPORT

CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
ORIGINATING DEPT: City Manager's Department/City Attorney's Office
SUBJECT: **City Council Consideration of Resolution 2023-029
Terminating the Proclamation of the Existence of a Local
Emergency**

BACKGROUND:

On March 11, 2020, the World Health Organization (WHO) declared COVID-19, the illness caused by the novel coronavirus, a pandemic, pointing at that time to over 118,000 cases of COVID-19 in over 110 countries and territories around the world and the sustained risk of further global spread. This was preceded by declarations of emergency by both the County of San Diego and State of California on February 14, 2020, and March 4, 2020, respectively, followed by a federal emergency declaration on March 13, 2020, as a result of the threat posed by COVID-19.

On March 16, 2020, the City Manager, acting as the Director of Emergency Services, took action under Section 2.28.060(A)(1) of the Solana Beach Municipal Code (SBMC) to proclaim the existence of local emergency conditions within the City of Solana Beach. On March 19, 2020, as required by the SBMC, the City Council took action to ratify such proclamation by adopting Resolution 2020-036. The local emergency will continue to exist until its termination is proclaimed by the City Council.

This item is before the City Council to consider adoption of Resolution 2023-029 (Attachment 1) terminating the proclamation of the existence of a local emergency (Attachment 2) and the Council's ratification thereof (Attachment 3).

DISCUSSION:

While the COVID-19 pandemic continues to affect the safety of persons or property within the City, the conditions necessitating the local emergency due to COVID-19 are

COUNCIL ACTION:

continually improving. With 80.6 percent of San Diego County residents vaccinated, declining hospitalization rates and declining deaths due to COVID-19, the current state of the pandemic is more manageable and no longer necessitates a local emergency.

On October 17, 2022, Governor Newsom announced that California's COVID-19 state of emergency would end on February 28, 2023. Governor Newsom stated that California has the tools to continue fighting COVID-19 after termination of the state of emergency, including vaccines and boosters, testing, treatment, and other mitigation measures like masking and indoor ventilation.

Both the County of San Diego and the City of San Diego terminated their state of local emergencies due to COVID-19 as of February 28, 2023.

With the lifting of California's state of emergency on February 28, 2023 and Governor Newsom's related executive orders, the normal rules under Government Code Section 8630(c) requiring that the Council review the need for continuing the local emergency at least once every 60 days are now back in effect. Government Code Section 8630(d) requires proclaiming the termination of the local emergency at the earliest possible date that conditions warrant.

CEQA COMPLIANCE STATEMENT:

The proposed City Council action does not constitute a "project" under the definition set forth in California Environmental Quality Act (CEQA) Guidelines Section 15378 because it will not have a potential to result in a direct or indirect physical change in the environment and is, therefore, not subject to CEQA.

FISCAL IMPACT:

There is no fiscal impact related to the adoption of this Resolution.

WORK PLAN:

N/A

OPTIONS:

- Adopt Resolution 2023-029;
- Do not adopt Resolution 2023-029; or
- Provide direction / feedback.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council consider the adoption of Resolution 2023-029, terminating the Proclamation of the Existence of a Local Emergency due to COVID-19.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager/Director of Emergency Services

1. Resolution 2023-029
2. Proclamation of the Existence of a Local Emergency
3. Resolution 2020-036

RESOLUTION 2023-029

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, TERMINATING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, as of February 14, 2020, the County of San Diego declared the existence of a county-wide local emergency within the unincorporated and incorporated areas of San Diego County due to the novel coronavirus, COVID-19; and

WHEREAS, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19 on March 4, 2020; and

WHEREAS, the World Health Organization (WHO) on March 11, 2020 declared COVID-19 a pandemic, pointing to the over 118,000 cases of the coronavirus illness in over 110 countries and territories around the world and the sustained risk of further global spread, and

WHEREAS, a federal emergency was issued on March 13, 2020 as a result of the rise in COVID-19 cases; and

WHEREAS, the County of San Diego Health Officer on March 16, 2020 amended the March 13, 2020 Order of the Health Officer and Emergency regulations; and

WHEREAS, Government Code Section 8630 authorizes the City of Solana Beach to proclaim a local emergency when such events occur as defined by Government Code Section 8558(c), including an epidemic such as COVID-19; and

WHEREAS, Section 2.28.060(A)(1) of the Solana Beach Municipal Code empowers the Director of Emergency Services/City Manager to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session and requires that the City Council shall take action to ratify the proclamation within seven days thereafter; and

WHEREAS, on March 16, 2020, the City Manager, acting as the Director of Emergency Services, took action under Section 2.28.060(A)(1) of the Solana Beach Municipal Code (SBMC) to proclaim the existence of local emergency conditions within the City of Solana Beach; and

WHEREAS, on March 19, 2020, as required by the SBMC Section 2.28.060(A)(1), the City Council took action to ratify such proclamation by adopting Resolution 2020-036; and

WHEREAS, pursuant to Resolution 2020-036, the local emergency will continue to exist until its termination is proclaimed by the City Council; and

WHEREAS, on October 17, 2022, Governor Newsom announced that California's COVID-19 state of emergency would end on February 28, 2023; and

WHEREAS, Governor Newsom stated that California has the tools to continue fighting COVID-19 after termination of the state of emergency, including vaccines and boosters, testing, treatment, and other mitigation measures like masking and indoor ventilation; and

WHEREAS, as of February 9, 2023, the County of San Diego Health and Human Services Agency (HHSA) reported 2.69 million people, or 80.6 percent of San Diego County residents, received the primary vaccine series of an approved COVID-19 vaccine; and

WHEREAS, as of February 9, 2023, HHSA reported 1.51 million people, or 60.4 percent of eligible San Diego County residents, received a COVID-19 booster vaccine, with 22.6 percent of eligible San Diego County residents receiving a bivalent booster; and

WHEREAS, Government Code Section 8630(d) requires proclaiming the termination of the local emergency at the earliest possible date that conditions warrant; and

WHEREAS, with a San Diego County vaccination rate of 80.6 percent, declining hospitalization rates, and declining deaths due to COVID-19, the City Council finds that the current state of the pandemic is more manageable and that the existence of a local emergency proclamation is no longer warranted or needed.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Solana Beach that:

1. The Proclamation of Existence of a Local Emergency, as issued by the Director of Emergency Services/City Manager on March 16, 2020, is hereby terminated;
2. Resolution 2020-036 is hereby rescinded and terminated; and
3. The local emergency shall be deemed terminated and no longer in existence.

PASSED, ADOPTED AND APPROVED by the City Council of the City of Solana Beach at a regular meeting this 8th day of March, 2023.

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

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST:

JOHANNA CANLAS, City Attorney

ANGELA IVEY, City Clerk

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, Section 2.28.060(A)(1) of the Solana Beach Municipal Code empowers the Director of Emergency Services/City Manager to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, such proclamation entitles the Director of Emergency Services, and the emergency organization of this City, to all the powers, functions, and duties prescribed by state law, ordinances, and resolutions of this jurisdiction and by the Operational Area Emergency Plan during the existence of said Local Emergency; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in China and which has now been detected in more than 100 locations internationally, including in the United States; and

WHEREAS, as of February 14, 2020, the County of San Diego declared the existence of a county-wide local emergency within the unincorporated and incorporated areas of San Diego County; and

WHEREAS, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19 on March 4, 2020; and

WHEREAS, the World Health Organization (WHO) on March 11, 2020 declared COVID-19 a pandemic, pointing to the over 118,000 cases of the coronavirus illness in over 110 countries and territories around the world and the sustained risk of further global spread, and

WHEREAS, a federal emergency was issued on March 13, 2020 as a result of the rise in COVID-19 cases; and

WHEREAS, as of March 16, 2020, there are at least thirty-three (33) residents of the San Diego region that tested presumptively positive for COVID-19; and

WHEREAS, the presence of COVID-19 virus in the region presents conditions of extreme peril to the safety of persons within the City of Solana Beach, and continues to directly affect the safety of the persons within the City; and

WHEREAS, these conditions warrant and necessitate the proclamation of a local emergency; and

WHEREAS, the City Council is not in session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City as a result of the threatened spread of the COVID-19 virus into San Diego County and the City of Solana Beach; and

IT FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City, and approved plans of the City of Solana Beach in order to mitigate the effects of this local emergency, including the receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

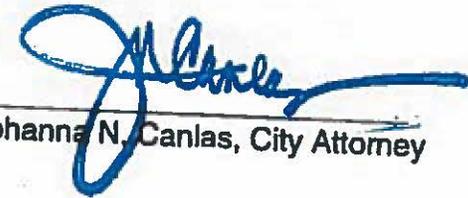
3-16-2020 7:30 AM

Date and Time



Gregory Wade, Director of Emergency Services

APPROVED AS TO FORM:

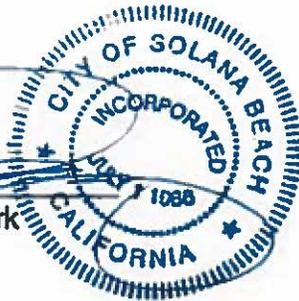


Johanna N. Canlas, City Attorney

ATTEST:



Angela Wey, City Clerk



RESOLUTION 2020-036

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, CONFIRMING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, section 2.28.060(A)(1) of the Solana Beach Municipal Code empowers the Director of Emergency Services/City Manager to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by a public calamity and the City Council is not in session and requires that the City Council shall take action to ratify the proclamation within seven days thereafter; and

WHEREAS, such proclamation entitles the Director of Emergency Services, and the emergency organization of this City, to all the powers, functions, and duties prescribed by state law, ordinances, and resolutions of this jurisdiction and by the Operational Area Emergency Plan during the existence of said Local Emergency; and

WHEREAS, a novel coronavirus, COVID-19, causes infectious disease and was first detected in China and which has now been detected in more than 100 locations internationally, including in the United States; and

WHEREAS, as of February 14, 2020, the County of San Diego declared the existence of a county-wide local emergency within the unincorporated and incorporated areas of San Diego County; and

WHEREAS, Governor Gavin Newsom proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19 on March 4, 2020; and

WHEREAS, the World Health Organization (WHO) on March 11, 2020 declared COVID-19 a pandemic, pointing to the over 118,000 cases of the coronavirus illness in over 110 countries and territories around the world and the sustained risk of further global spread, and

WHEREAS, a federal emergency was issued on March 13, 2020 as a result of the rise in COVID-19 cases; and

WHEREAS, as of March 16, 2020, there are fifty-five (55) residents of the San Diego region that tested positive for COVID-19; and

WHEREAS, the County of San Diego Health Officer on March 16, 2020 amended the March 13, 2020 Order of the Health Officer and Emergency regulations; and

WHEREAS, the presence of COVID-19 virus in the region presents conditions of extreme peril to the safety of persons within the City of Solana Beach, and continues to directly affect the safety of the persons within the City; and

WHEREAS, these conditions warrant and necessitate the proclamation of a local emergency at which time the City Council was not in session; and

WHEREAS, the City Manager acting as the Director of Emergency Services did proclaim the existence of a local emergency conditions within the City of Solana Beach on March 16, 2020.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Solana Beach that the Proclamation of Existence of a Local Emergency, as issued by the Director of Emergency Services/City Manager, is hereby ratified and confirmed.

BE IT FURTHER RESOLVED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Solana Beach.

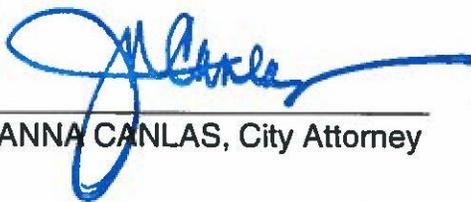
PASSED AND ADOPTED this 19th day of March, 2020, at a special meeting of the City Council of the City of Solana Beach, California by the following vote:

- AYES: Councilmembers – Edson, Hegenauer, Becker, Harless, Zito
- NOES: Councilmembers – None
- ABSTAIN: Councilmembers – None
- ABSENT: Councilmembers – None



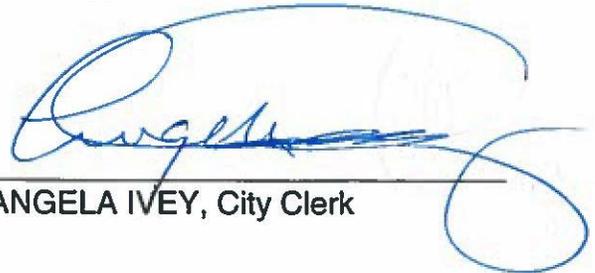
JEWEL EDSON, Mayor

APPROVED AS TO FORM:



JOHANNA CANLAS, City Attorney

ATTEST:



ANGELA IVEY, City Clerk



RESOLUTION CERTIFICATION

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } SS.
CITY OF SOLANA BEACH }

I, ANGELA IVEY, City Clerk of the City of Solana Beach, California, DO HEREBY CERTIFY that the foregoing is a full, true and correct copy of **Resolution 2020-036** *confirming the City Manager/Director of Emergency Services' Proclamation of Existence of a Local Emergency* as duly passed and adopted at a Special Solana Beach City Council meeting held on the 19th day of March, 2020. The original is on file in the City Clerk's Office.

ANGELA IVEY, CITY CLERK

CERTIFICATION DATE: March 20, 2020



STAFF REPORT CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: March 8, 2023
ORIGINATING DEPT: City Manager's Department
SUBJECT: **Santa Fe Christian Schools Alternative Story Pole Plan – Field Lighting**

BACKGROUND:

This item is before Council to consider an alternative story pole plan for Santa Fe Christian Schools (SFCS) for a proposed conditional use permit (CUP) modification and structure development permit (SDP requesting approval to install lighting for SFCS's athletic fields.

DISCUSSION:

Pursuant to Resolution 2001-077 for their previously approved CUP, the installation of "Sports Field night lighting" was prohibited. This condition "specifically superseded previous approvals for 35-foot high sport field lighting." As such, SFCS has submitted an application requesting that the City Council consider modification of their CUP to allow athletic field lighting. Due to the height of the proposed light standards, SFCS is required to install story poles and go through the view assessment process and consideration of an SDP.

SFCS is proposing 10 light standards for their football, soccer, baseball and softball fields (Attachment 1). As proposed, the light standards range from 60 feet to 90 feet in height (2 @ 60 feet; 2 @ 70 feet; 4 @ 80 feet; and 2 @ 90 feet). Given the significant height of these proposed lighting stanchions for which story poles are required, the use of traditional story poles may not be practical. Typical story poles are made of PVC piping and require fairly extensive anchoring systems and guy wires. The taller a PVC pole is, the more it will bow and become unstable. The anchoring wires for a 30-foot pole are typically anchored about 15 feet from the base of the pole. This distance would necessarily increase as the height of the pole increases resulting in anchoring wires spread throughout the playing fields and in other the areas surrounding the fields. This type of story pole installation at these heights could create safety concerns in windy conditions and the anchoring wires would limit or eliminate the use of the playing fields

CITY COUNCIL ACTION:

while they are installed. Instead, SFCS has proposed the use of 10 helium-filled balloons attached to ropes to replicate the location and heights of each proposed light stanchion. If approved, SFCS would install helium filled balloons at their proposed heights and locations on their property and a 30-day notice would be sent out after their installation. While this proposal would eliminate the logistical challenges and safety concerns of installing PVC poles, it should also be noted that wind may impact the ability to assess any potential view impairments as the height and scale of the proposed light stanchions would fluctuate to some degree in any wind. If this alternative story pole method is authorized by Council, Staff would do its best to assess and/or photograph the “poles” in as upright a position as possible.

It is also worth noting that on May 11, 2023, the City Council adopted Ordinance 523 regulating the use, sale and distribution of balloons filled with gas lighter than air. This was done largely to prevent the improper disposal of and/or deteriorating balloons from negatively impacting the environment and to reduce public safety threats to utilities and fire departments. Therefore, if approved, SFCS will be required to properly maintain, immediately replace damaged balloons and properly dispose of these balloons to prevent them from harming the environment or adversely impacting public safety.

CEQA COMPLIANCE STATEMENT:

This project is not a project pursuant to CEQA.

FISCAL IMPACT:

There is no fiscal impact associated with this Staff Report.

WORK PLAN:

N/A

OPTIONS:

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

DEPARTMENT RECOMMENDATION:

It is recommended that City Council consider approving the Santa Fe Christian Schools alternative story pole plan and if the City Council approves the requested alternative, adopt Resolution 2023-032.

CITY MANAGER'S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Story Pole Plan
2. Resolution 2023-032

Santa Fe Christian School Football
Solana Beach, CA

EQUIPMENT LAYOUT

INCLUDES:

- Baseball
- Football
- Soccer

Electrical System Requirements: Refer to Amperage Draw Chart and/or the "Musco Control System Summary" for electrical sizing.

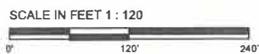
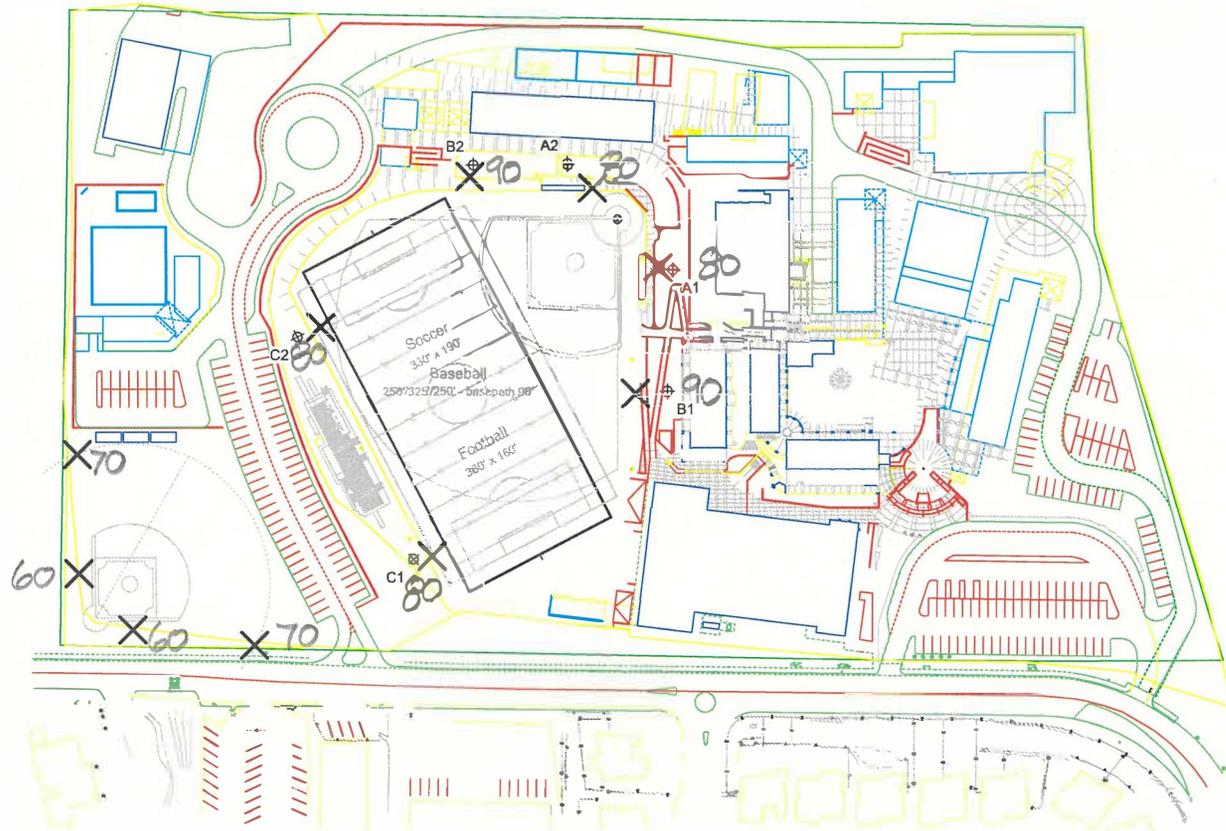
Installation Requirements: Results assume ± 3% nominal voltage at line side of the driver and structures located within 3 feet (1m) of design locations.

EQUIPMENT LIST FOR AREAS SHOWN

QTY	LOCATION	Pole		Luminaires			QTY / POLE
		CLASS	GRADE ELEVATION	HEIGHT	TYPE		
2	A1-A2	LSS90A	-	15.5'	TLC-BT-575	1	1
				80'	TLC-LED-1200	4	
2	B1-B2	LSS90B	-	15.5'	TLC-BT-575	3	3
				90'	TLC-LED-1500	11	
2	C1-C2	LSS80B	-	80'	TLC-LED-1200	1	1
				15.5'	TLC-BT-575	2	2
				80'	TLC-LED-1500	8	8
TOTALS							60

SINGLE LUMINAIRE AMPERAGE DRAW CHART

Ballast Specifications (30 min power factor)	Line Amperage Per Luminaire (max draw)							
	208V	220V	240V	277V	347V	380V	480V	575V
Single Phase Voltage	208	220	240	277	347	380	480	575
TLC-LED-1500	8.5	8.1	7.4	6.4	5.1	4.7	3.7	
TLC-LED-1200	7.0	6.6	6.3	5.2	4.2	3.8	3.0	
TLC-BT-575	3.4	3.2	2.9	2.5	2.0	1.8	1.5	



Pole location(s) ⊕ dimensions are relative to 0,0 reference point(s) ⊗

ENGINEERED DESIGN By: Daniel Lohman • File #146656298 • 23-Oct-19



Not to be reproduced in whole or part without the written consent of Musco Sports Lighting, LLC. ©1981, 2019 Musco Sports Lighting, LLC.

EQUIPMENT LAYOUT

RESOLUTION 2023-032

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING SANTA FE CHRISTIAN SCHOOLS ALTERNATIVE STORY POLE PLAN FOR PROPOSED FIELD LIGHTS

WHEREAS, Santa Fe Christian Schools (SFCS) has submitted an application to their conditional use permit, requesting consideration of athletic field lighting; and

WHEREAS, the height of the proposed light standards requires story pole installation pursuant to the City's View Assessment Ordinance; and

WHEREAS, SFCS is proposing ten (10) light standards for their football, soccer, baseball and softball fields; and

WHEREAS, the proposed light standards range between 60 feet and 90 feet; and

WHEREAS, typical story poles made of PVC pipes or wood are not practical for these heights and pose safety concerns; and

WHEREAS, SFCS proposes to install 10 large helium filled balloons instead of the typical story poles.

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

1. That the foregoing recitations are true and correct.
2. That the City Council approves the proposed alternative story pole plan.

PASSED AND ADOPTED this 8th day of March 2023, 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 –

LESA HEEBNER, 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 8, 2023
ORIGINATING DEPT: Community Development
SUBJECT: **Re-Adopt (2nd Reading) Ordinance 529 – Buildings Standards Code Amendments**

BACKGROUND:

On February 22, 2023, the City Council (Council) re-introduced Ordinance 529 (Attachment 1) which is now before Council for a second reading and adoption to amend the 2021 California Building Code and California Green Building Code to implement building decarbonization and electric vehicle (EV) installation requirements with the goal of decreasing greenhouse gas (GHG) emissions in the City of Solana Beach (City).

This item is before the Council to consider re-adopting Ordinance 529 (2nd Reading) including the one minor edit to Section A4.106.9.1 approved by Council during the 1st Reading on February 22, 2023.

DISCUSSION:

California State Building Codes are typically updated every three years. Ordinance 518 was adopted in 2021 to amend sections of the 2019 Building Code to promote energy efficiency and conservation in the City. On November 9, 2022, the City Council (Council) adopted Ordinances 528 and 529 to amend the 2022 California Green Building Code in the same manner and degree as Ordinance 518 amended the 2019 Building Code.

Upon further review of Ordinance 529 and before submittal to the California Building Standards Commission for filing, Staff recommended minor edits to the ordinance language to provide clarity around the ordinance requirements. The suggested edits were included in the redline version of Ordinance 529 re-introduced to Council for a 1st Reading on February 22, 2023.

With the adoption of proposed Ordinance 529, the building sections of Title 15 of the Solana Beach Municipal Code (SBMC) would be repealed and replaced with new

CITY COUNCIL ACTION:

sections and local amendments. Local amendments that are necessary to reflect local topographic, climatic or geological conditions have been prepared for City Council consideration. The City may only locally amend these State codes when a finding can be made that certain local physical conditions exist to support the necessity for a local amendment. The adoption of local amendments, and more stringent standards, are supported in the proposed findings.

At the 1st reading of the ordinance at the February 22nd Council meeting, Council requested the word “required” be inserted into the second paragraph of section A4.106.8.1. This insertion is presented as a redlined item in Attachment 1.

CEQA COMPLIANCE STATEMENT:

This project is exempt from the provisions of the California Environmental Quality Act pursuant to Section 15061(b)(3) because it entails the adoption of State mandated building and fire codes with or without minor amendments, intended to improve the public health, safety and welfare, and will not have a significant effect on the environment.

FISCAL IMPACT:

There would be no impact to the General Fund from Ordinance 529 as proposed. No changes to existing City fees are proposed at this time.

WORK PLAN: N/A

OPTIONS:

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

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council re-adopt Ordinance 529 (2nd Reading) amending Title 15 of the Solana Beach Municipal Code.

CITY MANAGER’S RECOMMENDATION:

Approve Department Recommendation.



Gregory Wade, City Manager

Attachments:

1. Ordinance 529

ORDINANCE 529

AN ORDINANCE OF THE CITY COUNCIL OF SOLANA BEACH, CALIFORNIA, ADOPTING ADDITIONS TO CHAPTER 15.23 (GREEN BUILDING CODE) OF TITLE 15 (BUILDING AND CONSTRUCTION) OF THE SOLANA BEACH MUNICIPAL CODE TO AMEND THE CALIFORNIA GREEN BUILDING STANDARDS CODE RELATED TO CLIMATE ACTION THROUGH BUILDING ELECTRIFICATION AND ELECTRIC VEHICLE INFRASTRUCTURE

WHEREAS, consensus exists among the world's leading climate scientists that climate change caused by greenhouse gas (GHG) emissions from human activities is among the most significant problems facing the world today; and

WHEREAS, the City of Solana Beach declared a Climate Emergency in 2020; and

WHEREAS, the City of Solana Beach adopted a Climate Action Plan (CAP) that directs the City in reducing approximately 70,000 metric tons of GHG emissions annually by the year 2035 to meet reduction goals consistent with California's GHG targets; and

WHEREAS, measures in the CAP aim to curb the use of fossil fuels, a primary contributor to GHG emissions, in buildings and transportation; and

WHEREAS, reach codes that extend beyond the California Building Standards Code are being adopted by cities state-wide to accelerate GHG reductions from new construction through building electrification and electric vehicle (EV) infrastructure beyond state code requirements; and

WHEREAS, the City of Solana Beach wishes to adopt a reach code ordinance with modifications to enhance building electrification and EV infrastructure within the City as part of Title 15 of the Municipal Code; and

WHEREAS, the 2022 California Building Standards Code adopted by the California Building Standards Commission has set minimum Green Building Standards and, within the code, expressly states that the standards are viewed as "minimal" and that local governmental entities retain discretion, pursuant to Health and Safety Code Section 17958, to exceed the standards established by such code based on express findings that such changes or modifications are reasonably necessary because of local climatic, topographical, or geological conditions

pursuant to Health and Safety Code Section 17985.5, 17958.7, and 18941.5(b);
and

WHEREAS, California Building Standards Code, Title 24, Part 11, Section 101.7.1 provides that local climatic, geological, or topographical conditions include environmental conditions established by a city, county, or city and county; and

WHEREAS, as required by Health and Safety Code Section 17958, the City of Solana Beach does herewith make express findings that amendments to the California Building Standards Code are necessary for the protection of the public health, safety and welfare due to the following climatic, topographic or geological features existing in the City of Solana Beach:

1. The City has over 1.7 miles of beaches, a creek, and other low-lying areas prone to flooding. The City is at risk to coastal storms, erosion, and flooding. There is broad scientific consensus that the earth will continue to warm and sea levels will rise impacting beaches, roads, properties, infrastructure, and environmentally sensitive areas.
2. The City has experienced increases in annual temperature. Annual temperatures have increased more than 1 degree F in many parts of the state and have exceeded increases of 2 degrees F in areas that include the San Diego region. Temperature increases are expected to continue into the future.
3. The City is situated in hilly, inland terrain. Approximately 50% of the area, for fire purposes, is "wildland," covered by native vegetation on steep inaccessible hillsides. The native ground cover is highly combustible grasses, dense brush and chaparral. Natural firebreaks in these areas are significantly lacking.
4. The City experiences seasonal climatic conditions during the late summer and fall that can result in frequent Santa Ana weather patterns. Dry, hot, strong, and gusty Santa Ana wind conditions produce extreme dryness and some of the highest wind events in San Diego County, resulting in some of the region's most catastrophic wildfires. These fires impact public health in the populated coastal zone through extreme heat and smoke.
5. The topography of the City is such that its boundaries enclose an area of 3.5 square miles that is mostly built out. As such, construction activity in the City is dominated by residential and commercial remodeling projects that significantly alter original or existing building structures rather than by new development and construction projects. The building code needs to address these significant modifications to the existing building stock.
6. The City acts to address environmental conditions that impact public health and welfare. Sustainability and resiliency are core values of the City's General Plan and Climate Action Plan. Energy efficiency promotes public health and welfare by enhancing the environmental and economic health of the City

through green practices in design, construction, maintenance, and operation of new and existing buildings. Construction of energy efficient buildings and installation of renewable energy systems protects the public health and welfare by reducing air pollution, greenhouse gas emissions, average and peak energy demand, and adverse impacts from power outages.

7. Amendments to the California Green Building Standards are reasonably necessary to promote energy efficiency and conservation in the City, increase use of sustainable energy sources, reduce GHG emissions, promote green development patterns, and maintain a long-term balance between environmental, social, and economic impacts that protect public health and welfare.

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

SECTION 1. FINDINGS.

The City Council finds and determines that the foregoing recitals are true and correct and are hereby incorporated herein as findings and determinations of the City Council. The recitals constitute findings in this matter and, together with the staff report, other written reports, public testimony and other information contained in the record, are an adequate and appropriate evidentiary basis for the actions taken in this Ordinance.

SECTION 2. ENVIRONMENTAL REVIEW.

This Ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Section 15308 of the CEQA Guidelines (14 CCR 15308) because it is an activity undertaken to assure the maintenance, restoration, enhancement and protection of the environment.

SECTION 3. ADDITION OF SECTIONS 15.23.020 THROUGH 15.23.060 TO THE SOLANA BEACH MUNICIPAL CODE.

Sections 15.23.020 through 15.23.070 of the Solana Beach Municipal Code are hereby repealed in their entirety. Sections 15.23.020 through 15.23.060 are hereby added to amend the 2022 California Building Standards Code, California Code of Regulations, Title 24, Part 11 and shall read as follows:

15.23.020 Applicability

The requirements of this Chapter shall apply at the time of building permit application for all newly constructed buildings, as defined in Title 24, Part 2, Chapter 2, Section 202 of the California Code of Regulations, as amended by Solana Beach Municipal Code Section 15.22.030.

15.23.030 Definitions

For purposes of this Chapter, the following definitions shall apply:

MIXED-FUEL BUILDING. A building that is plumbed for the use of natural gas or propane as fuel for any system. Portable propane appliances for use outside of the building envelope, such as outdoor cooking and outdoor heating appliances, that are not connected to any fuel gas infrastructure, are not considered as plumbed for propane.

NEWLY CONSTRUCTED or NEW CONSTRUCTION shall have the meaning as defined in Title 24, Part 2, Chapter 2, Section 202 of the California Code of Regulations, as amended by Solana Beach Municipal Code Section 15.22.030.

15.23.040 Required Electric End Uses

Section 4.504.6 Required Electric End Uses, is hereby added to the 2022 California Green Building Standards Code to read:

Section 4.504.6 Required Electric End Uses. All newly constructed residential and motel/hotel buildings shall use electricity as the source of energy for all space heating, water heating (including pools and spas), and clothes drying appliances and equipment.

Exception: Solar thermal systems for pool, spa heating, domestic hot water, service hot water and space heating.

Section 5.504.6 Required Electric End Uses, is hereby added to the 2022 California Green Building Standards Code to read:

Section 5.504.6 Required Electric End Uses. All newly constructed nonresidential buildings shall use electricity as the source of energy for all space heating, water heating (including pools and spas), and clothes drying appliances and equipment.

Exception: Solar thermal systems for pool, spa heating, domestic hot water, service hot water and space heating.

15.23.050 Electric-Readiness and Energy Storage Prewiring

Section 4.504.7 Electric-Readiness is hereby added to the 2022 California Green Building Standards Code to read:

Section 4.504.7 Electric-Readiness. In newly constructed mixed-fuel

residential and hotel/motel buildings, where natural gas- or propane-plumbed systems and appliances are installed, raceways and electrical capacity shall be installed for future electrification of each system or appliances. Electric ready measures include panel capacity and raceways (or conductors) from the electrical panel(s) to the location of each gas outlet sufficiently sized to meet future electric power requirements at the time of construction so that wall penetrations and demolition work is avoided at or minimized when the systems and appliances are converted to electric-powered systems. The locations of specific gas appliances shall be made electric-ready as follows:

- 1) Combined Cooktop and Oven or Stand Alone Cooktop. Buildings plumbed for natural gas or propane equipment shall meet the requirements of the California Energy Code, Title 24, Part 6, Section 150.0(u).
- 2) Stand Alone Cooking Oven. Buildings plumbed for natural gas or propane equipment shall include the following components for each gas terminal or stub out:
 - a. A dedicated 240 volt, 20 amp or greater receptacle within three (3) feet of the appliance and accessible with no obstructions;
 - b. The electrical receptacle shall be labeled with the words "For Future Electric Oven" and be electrically isolated; and
 - c. A double pole circuit breaker in the electrical panel labeled with the words "For Future Electric Oven".
- 3) Any other gas appliances and equipment shall be deemed electric ready by a licensed design professional associated with the project, who shall provide calculations and documentation that the design includes bus bar capacity, raceway or conductor capacity, and space necessary for the installation of electrical equipment that can serve the intended function of the gas equipment.

Section 4.504.8 Energy Storage Pre-wiring is hereby added to the 2022 California Green Building Standards Code to read:

Section 4.504.8 Energy Storage Pre-wiring

1. All newly constructed hotel and motel buildings shall be prewired for the installation of battery storage to accommodate a future storage system that meets the requirements of California Energy Code, Title 24, Part 6, Section 140.10(b), where the assumed size of the PV system shall be as specified in the California Energy Code, Title 24, Part 6, Section 120.11, as amended.
2. All newly constructed high-rise residential buildings shall be

prewired for the installation of battery storage to accommodate a future storage system that meets the requirements of California Energy Code, Title 24, Part 6, Section 170.2(h), where the assumed size of the PV system shall be as specified in the California Energy Code, Title 24, Part 6, Section 120.11, as amended.

3. All newly constructed low-rise residential buildings shall be prewired for the installation of battery storage to accommodate a future storage system that meets the requirements as otherwise specified for high-rise residential buildings in the California Energy Code, Title 24, Part 6, Section 170.2(h), where the assumed size of the PV system shall be as specified in the California Energy Code, Title 24, Part 6, Section 120.11, as amended.

Section 5.504.7 Electric-Readiness is hereby added to the 2022 California Green Building Standards Code to read:

Section 5.504.7 Electric-Readiness. In newly constructed nonresidential buildings, where natural gas- or propane-plumbed systems and appliances are installed, raceways and electrical capacity shall be installed for future electrification of each system and for appliances. Electric ready measures include panel capacity and raceways (or conductors) from the electrical panel(s) to the location of each gas outlet sufficiently sized to meet future electric power requirements at the time of construction so that wall penetrations and demolition work is avoided at or minimized when the systems and appliances are converted to electric-powered systems. The locations of specific gas appliances shall be made electric-ready as follows:

- 1) Combined Cooktop and Oven or Stand Alone Cooktop. Buildings plumbed for natural gas or propane equipment shall meet the requirements of the California Energy Code, Title 24, Part 6, Section 150.0(u).
- 2) Stand Alone Cooking Oven. Buildings plumbed for natural gas or propane equipment shall include the following components for each gas terminal or stub out:
 - a. A dedicated 240 volt, 20 amp or greater receptacle within three (3) feet of the appliance and accessible with no obstructions;
 - b. The electrical receptacle shall be labeled with the words "For Future Electric Oven" and be electrically isolated; and
 - c. A double pole circuit breaker in the electrical panel labeled with the words "For Future Electric Oven".
- 3) Any other gas appliances and equipment shall be deemed electric ready by a licensed design professional associated with the project, who shall provide calculations and documentation that the design includes bus bar

capacity, raceway or conductor capacity, and space necessary for the installation of electrical equipment that can serve the intended function of the gas equipment.

Section 5.504.8 Energy Storage Pre-wiring is hereby added to the 2022 California Green Building Standards Code to read:

All newly constructed nonresidential buildings shall be prewired for the installation of battery storage to accommodate a future storage system that meets the requirements of California Energy Code, Title 24, Part 6, Section 140.10(b), where the assumed size of the PV system shall be as specified in the California Energy Code, Title 24, Part 6, Section 120.11, as amended.

15.23.060 Electric Vehicle Charging

The first paragraph of Section A4.106.8 and the entirety of Section A4.106.8.1, as amended herein, are hereby added to the 2022 California Green Building Standards Code to read:

A4.106.8 Electric vehicle (EV) charging for new construction. New construction shall comply with Section A4.106.8.1 to facilitate future installation and use of electric vehicle chargers. Electric vehicle supply equipment (EVSE) shall be installed in accordance with the California Electrical Code, Article 625.

A4.106.8.1 New one- and two-family dwellings and townhouses with private garages.

Tier 1 and Tier 2. For each dwelling unit, a dedicated 208/240-volt branch circuit shall be installed in the raceway required by Section 4.106.4.1. The branch circuit and associated overcurrent protective device shall be rated to 40 amperes minimum. In addition, the circuit shall terminate at either a) a receptacle labeled "Electric Vehicle Outlet" with at least a ½ inch font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes.

For each dwelling unit with two or more required parking spaces, at least one EV Capable Space shall be provided.

All electrical components related to this section shall be installed in accordance with the *California Electrical Code*.

A4.106.8.1.1 Identification. The service panel or sub-panel circuit directory shall identify the overcurrent protective device(s) designated for EV charging as "EV CHARGER", "EV READY" or "EV CAPABLE", as the case may be, in accordance with the

California Electrical Code.

Section 4.106.4.4 EV Chargers, is hereby added to the 2022 California Green Building Standards Code to read:

4.106.4.4 EV Chargers.

For any newly constructed multifamily building, at least 25 percent of the total number of required parking spaces for all types of parking facilities, but in no case less than one, shall have electric vehicle supply equipment installed. Each such space shall be equipped with fully operational Level 2 electric vehicle supply equipment (EVSE) or a Direct Current Fast Charger (DCFC), except at least one space shall be provided with a Level 2 EVSE. All of the remaining parking spaces shall be EV capable spaces, capable of supporting future Level 2 EVSE. Calculations for the required number of EVSE spaces shall be rounded up to the nearest whole number.

For any newly constructed hotel or motel building, at least 25 percent of the total number of required parking spaces for all types of parking facilities, but in no case less than one, shall have Level 2 electric vehicle supply equipment (EVSE) installed. Each such space shall be equipped with fully operational Level 2 electric vehicle supply equipment (EVSE) or a Direct Current Fast Charger (DCFC), except at least one space shall be provided with a Level 2 EVSE. All of the remaining parking spaces shall be EV capable spaces, capable of supporting future Level 2 EVSE. Calculations for the required number of EVSE spaces shall be rounded up to the nearest whole number.

Section 5.106.5.3.2.1 Additional electric vehicle charging station (EVCS) requirements, is hereby added to the 2022 California Green Building Standards Code to read:

5.106.5.3.2.1 Additional electric vehicle charging station (EVCS) requirements.

For any newly constructed nonresidential building, at least 20 percent of the total number of required parking spaces for all types of parking facilities, but in no case less than one, shall have electric vehicle supply equipment installed. Each such space shall be equipped with fully operational Level 2 electric vehicle supply equipment (EVSE) or a Direct Current Fast Charger (DCFC), except at least one space shall be provided with a Level 2 EVSE. At least 35 percent of the remaining parking spaces shall be EV capable spaces, capable of supporting future Level 2 EVSE. Calculations for the required

number of EVSE spaces shall be rounded up to the nearest whole number.

SECTION 4. SEVERABILITY.

If any section, subsection, paragraph, sentence, clause, phrase or term (each a "Provision") in this Ordinance, or any Provision's application to any person or circumstance, is held illegal, invalid or unconstitutional by a court of competent jurisdiction, all other Provisions not held illegal, invalid or unconstitutional, or such Provision's application to other persons or circumstances, shall not be affected. The City Council declares that it would have passed this Ordinance, and each Provision therein, whether any one or more Provisions be declared illegal, invalid or unconstitutional.

SECTION 5. PUBLICATION AND EFFECTIVE DATE.

Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code Section 36933. This Ordinance shall become effective 30 days after its adoption and shall be in full force and effect 30 days after adoption, on January 1, 2023 or following filing with the California Building Standards Commission pursuant to applicable law, whichever is later.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Solana Beach, California on the 22nd day of February 2023; and

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California on the 8th day of March 2023, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

LESA HEEBNER, Mayor

APPROVED AS TO FORM:

ATTEST

JOHANNA N. CANLAS, City Attorney

ANGELA IVEY, City Clerk