

October 28, 2025

VIA EMAIL: bothwellm@icloud.com

Ms. Marcella Bothwell, MD, MBA, Chair
Pacific Beach Planning Group

Dear Ms. Bothwell,

Thank you for your follow-up communication requesting information. Please accept my apologies for the significant delay in responding to your initial inquiry.

Please see my responses to your requests for additional information listed here:

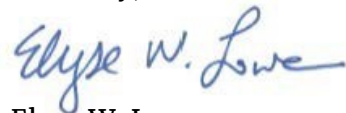
1. *Documentation outlining the new \$34 administrative fee, including the ordinance, resolution, or policy establishing it, its purpose, and how it aligns with the City's commitment to transparency and public access.*
 - a. The fee was established as part of the Department's Enterprise Fund User Fee Study conducted in 2024 and 2025. With the exception of Building and Land Use Enforcement, the Development Services Department is an Enterprise Fund established to account for services funded directly by fees and charges to users intended to be self-supporting. No City General funds are allocated to DSD Records administration. Only City Clerk records management is supported by the General Fund.
 - b. The User Fee Study was publicly noticed and unanimously adopted by the City Council via Resolution [R-315534](#) on May 14, 2024. The fee originally adopted was \$30.00, implemented on July 1, 2024. It has since been updated to the current rate based on City Council-adopted wage increases and inflation index factor.
 - c. The fee's purpose is to enable DSD to be cost recoverable for providing Records Research Assistance in the Records Office.
 - d. DSD's operations were unchanged as it relates to maintaining and providing public access to records; however, staff assistance provided aside from record retrieval is a service that is to be cost-recoverable. The cost was previously associated with permit fees as overhead; however, not all records assistance is associated with a permit.

The User Fee Study's review determined that this administrative fee should be separated from the overhead rates applied to permit fees.

2. *Identification of the department, office, or individual(s) responsible for implementing and approving the \$34 fee and the note-taking restriction policy.*
 - a. The fee was adopted and authorized by the City Council.
 - b. Development Services Department, as the official Custodian of the Building and Land Use Records, maintains chief responsibility for the proper management and protection of the records.
3. *An explanation of the note-taking restriction, including its intended purpose and any supporting documentation or guidelines.*
 - a. The plans in Records are mostly proprietary. The note-taking restriction prohibits making sketches of plans that are proprietary. The Department procedure requires permission from the architect (plan owner) prior to making copies or sketches of the proprietary designs. Customers are allowed to take written notes while viewing plans.
 - b. I also recognize and apologize for any confusion from my team members who misunderstood the note-taking policy during your June appointment. All customers who were prohibited from taking notes were identified by my staff and contacted afterward to correct the error.
4. *Consideration of alternative approaches, such as waiving the fee for noncommercial, public interest reviews.*
 - a. Development Services Department is not authorized to waive its fees. If the fees are waived by the City Council, another source of funding must be made available by Council to backfill what fees would have been collected.
 - b. While understanding the nature and basis of the PBPG's request, as an Enterprise fund, the Department requires full cost recovery, regardless of who the customer is, whether it be an interested individual, a non-profit, a community-based organization, another governmental agency, or a for-profit entity.

5. *Relaxation of the "no phones" policy, an overreach to comply with State Law prohibiting copies, to bar photos only, not note taking, checking or research common to this modern technology*
 - a. The current cell phone policy, as noted on the Records homepage, states, "When viewing records, you are not permitted to make copies, tracings, or take photographs or videos." Customers are allowed to take notes on paper or using their electronic devices, but if they try to trace, draw or photograph the plans without permission, they are asked to remove their devices. The Records Office would need to substantially increase the number of personnel to properly monitor a more relaxed cell phone presence policy, thereby limiting the liability of compromised records and necessitating an increase in fees to recover associated costs.

Sincerely,



Elyse W. Lowe
Director, Development Services Department

EL/km

cc: Honorable Mayor Todd Gloria
Honorable City Attorney Heather Ferbert
Honorable Council President and Members of the City Council