AGENDA

Joint REGULAR Meeting

Wednesday, September 22, 2021 * 6:00 p.m.

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

This meeting will be conducted in accordance with Governor Newsom’s Executive Order N-29-20 related to the COVID-19 virus.

MEETING LOCATION WILL NOT BE OPEN TO THE PUBLIC

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

AGENDA MATERIALS

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

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.

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 before 3:00 p.m. (or 3 hrs. 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.
- The designated location for viewing supplemental documents is on the City’s website www.cityofsolanabeach.org on the posted Agenda under the relative Agenda Item.

OR

Verbal comment participation: If you wish to provide a live verbal comment during the meeting, attend the virtual meeting via your computer or call in.

Before Meeting

- Sign up (register) to speak at the virtual meeting for the Zoom webinar as early as possible and at least 3 hours prior to the start of the meeting so that Staff can manage the speaker list.
  - Public Participation Link: https://cosb-org.zoom.us/webinar/register/WN_baMawh76Rp2WbzLyaZFbHA
  - Follow the prompts to enter your name and email address and identify the item you are speaking on.
- Join the meeting by locating your confirmation email, that was sent immediately following registration, which will provide your log-in link.
- Join/Log-In to the meeting at least 15 minutes prior to the start time so that the City Clerk can verify you are ready to speak before the meeting begins.
- If your computer does not have a mic to speak or you have sound issues, you can use the call-in audio information (Zoom ID, Participant ID) from a landline or cell phone to join the meeting for the audio accessibility.
- If you call in as well for better audio, mute your computer’s speakers to eliminate feedback so that you do not have two audios competing when you are speaking.

During Meeting:

- Choose Gallery View to see the presentations, when applicable.
Participants will be called upon from those who have Registered and their name is identified by the City Clerk calling from the registration list. You will be called on by name and unmuted by the meeting organizer and then you may provide comments for the allotted time. Allotted speaker times are listed under each Agenda section.

**SPECIAL ASSISTANCE NEEDED - AMERICAN DISABILITIES ACT TITLE 2**

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

<table>
<thead>
<tr>
<th>CITY COUNCILMEMBERS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Lesa Heebner,</strong> Mayor</td>
</tr>
<tr>
<td><strong>Kristi Becker,</strong> Deputy Mayor</td>
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<tr>
<td><strong>Kelly Harless,</strong> Councilmember</td>
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<td><strong>David A. Zito,</strong> Councilmember, District 1</td>
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<tr>
<td><strong>Jewel Edson,</strong> Councilmember, District 3</td>
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<td><strong>Gregory Wade,</strong> City Manager</td>
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<tr>
<td><strong>Johanna Canlas,</strong> City Attorney</td>
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<tr>
<td><strong>Angela Ivey,</strong> City Clerk</td>
</tr>
</tbody>
</table>

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

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

**CALL TO ORDER AND ROLL CALL:**

**CLOSED SESSION REPORT:**

**FLAG SALUTE:**

**PROCLAMATIONS/CERTIFICATES:** Ceremonial

*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*

**APPROVAL OF AGENDA:**

**ORAL COMMUNICATIONS:**

*Note to Public: Refer to Public Participation for information on how to submit public comment.* This portion of the agenda provides an opportunity for members of the public to address the City Council on items relating to City business and not appearing on today’s agenda by having submitted written comments for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. Comments relating to items on this evening’s agenda are taken at the time the items are heard. Pursuant to the Brown Act, no action shall be taken by the City Council on public comment items.
Council may refer items to the City Manager for placement on a future agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).

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

A. CONSENT CALENDAR: (Action Items) (A.1. - A.7.)
Note to Public: Refer to Public Participation for information on how to submit public comment.
Items listed on the Consent Calendar are to be acted in a single action of the City Council unless pulled for discussion.
Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190).
Those items removed from the Consent Calendar by a member of the Council will be trailed to the end of the agenda, while Consent Calendar items removed by the public will be discussed immediately after approval of the Consent Calendar.

A.1. Surf Monitoring Program Cameras. (File 0190-60)
Recommendation: That the City Council

1. Adopt Resolution 2021-115:
   a. Authorizing the City Manager to execute a Professional Services Agreement with Siemens, in an amount not to exceed a total amount of $49,000 (including four optional one-year contract extensions at the City Manager’s discretion) for the purchase, installation, and cloud-based video storage of closed-circuit cameras.
   b. Appropriating $28,527 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2021/22.
   c. Appropriating $4,671 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.
   d. Authorizing the City Treasurer to amend the FY 2021/22 and FY 2022/23 Adopted Budget accordingly.
   e. Authorizing the City Manager or designee to request Work-In-Kind credit from the USACE under the PED cost share agreement for the full cost of this effort.

Item A.1. Report (click here)

A.2. Register Of Demands. (File 0300-30)
Recommendation: That the City Council


Item A.2. Report (click here)
A.3. **General Fund Adopted Budget for Fiscal Year 2021/22 Changes.** (File 0330-30)

Recommendation: That the City Council

1. Receive the report listing changes made to the Fiscal Year 2021-2022 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. **Destruction of Obsolete Records.** (File 0170-50)

Recommendation: That the City Council

1. Adopt Resolution 2021-113 authorizing the destruction of officially obsolete records.

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. **High Speed Internet Communication Services.** (File 1000-50)

Recommendation: That the City Council

1. Adopt Resolution 2021-111:
   a. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Ting Fiber, Inc., in an amount not to exceed $30,000 for additional internet services at the Tide Beach Park and Del Mar Shores satellite lifeguard stations.
   b. Appropriating $18,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2021/22.
   c. Appropriating $10,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.
   d. Authorizing the City Treasurer to amend the FY 2021/22 and FY 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. **Solana Energy Alliance (SEA) Power Content Label and Attestation.** (File 1010-45)

Recommendation: That the City Council

1. Adopt Resolution 2021-114 attesting to the veracity of information provided in Solana Energy Alliance’s 2020 SEA Choice Power Content Label; SEA Green Power Content Label and SEA’s Power Source Disclosure Report based on Staff and consultant input and review.

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. Other Postemployment Benefits (OPEB) Actuarial Valuations Services. (File 0350-55)

Recommendation: That the City Council

1. Adopt Resolution 2021-112 authorizing the City Manager to approve a Professional Services Agreement with Bartel Associates for a three-year term to provide actuarial valuation services for Fiscal Year 2020/21 through Fiscal Year 2022/23 for an amount not to exceed $28,000.

Item A.7. Report (click here)

B. PUBLIC HEARINGS: (B.1.)

Note to Public: Refer to Public Participation for information on how to submit public comment.

Any member of the public may address the City Council on an item of concern by submitting written correspondence for the record to be filed with the record or by registering to join the virtual meeting online to speak live, per the Public Participation instructions on the Agenda. The maximum time allotted for each speaker is THREE MINUTES (SBMC 2.04.190). An applicant or designee(s) for a private development/business project, for which the public hearing is being held, is allotted a total of fifteen minutes to speak, as per SBMC 2.04.210. A portion of the fifteen minutes may be saved to respond to those who speak in opposition. All other speakers have three minutes each.

After considering all of the evidence, including written materials and oral testimony, the City Council must make a decision supported by findings and the findings must be supported by substantial evidence in the record.

B.1. Introduction (1st Reading) Ordinance 518 – Regarding Solar Energy, Building Decarbonization and Electric Vehicle Infrastructure Requirements. (File 0180-55)

Recommendation: That the City Council


Item B.1. Report (click here)

C. STAFF REPORTS: (C.1. – C.3.)

Note to Public: Refer to Public Participation for information on how to submit public comment.

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

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

Recommendation: That the City Council

C.2. Supplemental CARES Act Community Development Block Grant Coronavirus (CDBG-CV) Funding for Community Resource Center’s Food and Nutrition Program. 
(File 0390-32)
Recommendation: That the City Council
1. Discuss and provide direction to Staff regarding the potential use of available CDBG-CV funding for the proposed Food and Nutrition Center administered by the Community Resource Center.

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.

Recommendation: That the City Council
1. Adopt Ordinance 515 (2nd Reading) amending Section 2.08.040 of the Solana Beach Municipal Code.

Item C.3. Report (click here)
Posted Reports & Supplemental Docs contain records up to the cut off time, prior to the start of the meeting, for processing new submittals. The final official record containing handouts, PowerPoints, etc. can be obtained through a Records Request to the City Clerk’s Office.

WORK PLAN COMMENTS:
Adopted June 23, 2021

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- Harless, Alternate-Edson
 d. Escondido Creek Watershed Authority: Becker /Staff (no alternate).
 e. League of Ca. Cities’ San Diego County Executive Committee: Primary-Becker, Alternate-Harless. Subcommittees determined by its members.
 f. League of Ca. Cities’ Local Legislative Committee: Primary-Harless, Alternate-Becker
 h. North County Dispatch JPA: Primary-Harless, Alternate-Becker
 i. North County Transit District: Primary-Edson, Alternate-Harless
 j. Regional Solid Waste Association (RSWA): Primary-Harless, Alternate-Zito
 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-Harless, 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)**

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

**CITIZEN COMMISSION(S)**

a. Climate Action Commission: Primary-Zito, Alternate-Becker

**ADJOURN:**

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**Next Regularly Scheduled Meeting is October 13, 2021**

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

Or Contact City Hall 858-720-2400  
www.cityofsolanabeach.org

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**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 September 22, 2021 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 September 15, 2021 at 5:50 p.m. on the City Bulletin Board at the entrance to the City Council Chambers. Said meeting is held at 6:00 p.m., September 22, 2021, in the Council Chambers, at City Hall, 635 S. Highway 101, Solana Beach, California.

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

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**CITIZEN CITY COMMISSION AND COMMITTEE MEETINGS:**

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

- Budget & Finance Commission
- Climate Action Commission
- Parks & Recreation Commission
- Public Arts Commission
- View Assessment Commission
Council Consideration of Resolution 2021-115 Authorizing the City Manager to Enter into a Professional Service Agreement with Siemens Industry for the Purchase, Installation and Cloud-Based Video Storage of Closed-Circuit Cameras

BACKGROUND:

On September 9, 2020, the City entered into a Preconstruction Engineering Design (PED) Design Agreement (DA) with the U.S. Army Corps of Engineers (USACE) which included a Project Management Plan (PMP). The PMP outlines various Work In Kind (WIK) tasks in which the City will participate. One of the tasks that the City has been asked to take on is the procurement and installation of video camera systems to be used to establish baseline wave and surf conditions within the City prior to the placement of sand as part of the USACE Project.

This item is before the City Council for the consideration of Resolution 2021-115 (Attachment 1), which would authorize the City Manager to execute a Professional Service Agreement (PSA) with Siemens Industry for the purchase, installation, and cloud-based video storage of closed-circuit cameras.

DISCUSSION:

The purpose of the video cameras is to establish a one-year baseline of video recordings to support the required pre-construction monitoring of existing wave/surf conditions in the City in advance of the planned U.S. Army Corps of Engineers (USACE) Coastal Storm Damage Reduction Project. Wave and surf monitoring efforts are required to be initiated in October 2021.

To accomplish this task, City staff proposes to purchase and install closed circuit cameras (CCTV) at three pre-designated locations. These three locations are the...
Marine Safety Headquarters at Fletcher Cove, the Tide Beach Park satellite lifeguard station at the top of the public beach staircase and the Del Mar Shores Beach satellite lifeguard station located at the midway of the public beach access way. The use of CCTV technology will allow the City to record existing wave and surf conditions in the City before the placement of sand. The cameras will also be used to objectively evaluate post-project wave and surf conditions for two years following the conclusion of the USACE project.

The City has reviewed multiple proposals for CCTV technology at these pre-designated locations. Selection criteria used in reviewing the proposed camera solutions included technical capabilities, vendor experience, project approach, and understanding of the project. The City received four unique proposals from three different organizations. Two of the proposals offered cloud-based data storage and camera control services and the other two proposed on-premise support for those services. The use of a secure cloud-based camera system for the City identifies key benefits to explore. This includes a reduced risk of data loss, less internal Staff hours to maintain the system, increased availability, flexibility, and scalability as needs grow. Additionally, supply-chain constraints have increased the lead-time for ordering on-premises hardware systems, increasing difficulty for the City to fulfill an efficient deadline. The solution proposed by Siemens Industry was identified as the most thorough for understanding the scope, including drawings, hardware specifications of the devices, along with emphasis on information security.

Staff is recommending that Council authorize the City Manager to enter into agreement with Siemens Industry in an amount not to exceed to $29,000 for FY 2021/2022 and allow the City Manager in his discretion to execute future agreement extensions in an amount not to exceed $5,000 per fiscal year for the next four fiscal years. As a Local Sponsor of the USACE project, the City will seek WIK credit from the USACE for the full cost of the camera procurement and installation effort to be credited toward the City’s local cost share requirement for PED.

**CEQA COMPLIANCE STATEMENT:**

Not a Project as defined by CEQA.

**FISCAL IMPACT:**

Staff is recommending appropriating funds in the Sand Replenishment TOT capital fund. Appropriations need to be made to FY 2021/22 Adopted Budget for $28,527 and to the FY 2022/23 Adopted Budget for $4,671 for the cost of purchasing and installing of cameras, and cloud-based storage of videos captured. The breakdown is as follows:
<table>
<thead>
<tr>
<th>Description</th>
<th>FY 2021/22 Costs</th>
<th>FY 2022/23 Costs</th>
<th>FY 2023/24 Costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Equipment and Installation cost of Project</td>
<td>$23,992</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>Annual Cloud Storage Fee October 1- September 30</td>
<td>$4,535</td>
<td>$4,671</td>
<td>$4,811</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$28,527</strong></td>
<td><strong>$4,671</strong></td>
<td><strong>$4,811</strong></td>
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As noted above, the City will seek WIK credit for these costs under the cost share agreement with the USACE. Payment for the services under this PSA would come from the City’s Sand Replenishment TOT fund.

**WORKPLAN:**

N/A

**OPTIONS:**

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

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopts Resolution 2021-115:

1. Authorizing the City Manager to execute a Professional Services Agreement with Siemens, in an amount not to exceed a total amount of $49,000 (including four optional one-year contract extensions at the City Manager’s discretion) for the purchase, installation, and cloud-based video storage of closed-circuit cameras.


3. Appropriating $4,671 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.

4. Authorizing the City Treasurer to amend the FY 2021/22 and FY 2022/23 Adopted Budget accordingly.
5. Authorizing the City Manager or designee to request Work-In-Kind credit from the USACE under the PED cost share agreement for the full cost of this effort.

**CITY MANAGER’S RECOMMENDATION:**

Approve Department Recommendation.

_________________________
Gregory Wade, City Manager

Attachments:

1. Resolution 2021-115
RESOLUTION 2021-115

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH SIEMENS INDUSTRY FOR THE PURCHASE, INSTALLATION AND CLOUD-BASED VIDEO STORAGE OF CLOSED-CIRCUIT CAMERAS

WHEREAS, the City entered into a Preconstruction Engineering Design (PED) Design Agreement (DA) with the U.S. Army Corps of Engineers (USACE) which included a Project Management Plan (PMP) that outlines various Work In Kind (WIK) tasks in which the City will participate.; and

WHEREAS, one of the tasks that the City has been asked to take on is the procurement and installation of video camera systems to be used to establish baseline wave and surf conditions within the City prior to the placement of sand as part of the USACE Project; and

WHEREAS, the most feasible option for the City to accomplish this task is to purchase and install closed circuit cameras (CCTV) at three pre-designated locations: 1) Marine Safety Headquarters at Fletcher Cove, 2) the Tide Beach Park satellite lifeguard station and 3) the Del Mar Shores Beach satellite lifeguard station; and

WHEREAS, pursuant to Section 3.08.140 of the Solana Beach Municipal Code, because of their unique nature, it is in the best interest of the public, as allowed by state law, that contracts for professional services such as computer consultants or other professional or consultant services of a similar nature, or at the discretion of the purchasing officer, be selected on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required, negotiated between parties rather than on the basis of cost alone. Therefore, the city manager is not limited to awarding professional services contracts to the lowest responsible bidder, but rather on the basis of demonstrated competence and qualifications for the types of service to be performed at a fair and reasonable price; and

WHEREAS, the because of their unique nature, it is in the best interest of the public, as allowed by state law, that this contract be selected on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required and negotiated between parties rather than on the basis of cost alone; and
WHEREAS, the City has reviewed multiple proposals for CCTV at the pre-designated locations; and

WHEREAS, the proposal submitted by Siemens Industry was determined to be the most comprehensive based on the needs and projected growth of the City, demonstrated competence and the professional qualifications necessary for the satisfactory performance of the services required, and is to be performed at a fair and reasonable price.

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

1. That the above recitations are true and incorporated herein.

2. That the City Council authorizes the City Manager to execute a Professional Services Agreement with Siemens Industry, in an amount not to exceed a total amount of $49,000 (including four optional one-year contract extensions at the City Manager’s discretion) for the purchase, installation and cloud-based video storage of close circuit cameras.

3. That the City Council appropriates $28,527 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2021/22.

4. That the City Council appropriates $4,671 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.

5. That the City Council authorizes the City Treasurer to amend the FY 2021/22 and FY 2022/23 Adopted Budget accordingly.
6. That the City Council authorizes the City Manager or designee to request Work-In-Kind credit from the USACE under the PED cost share agreement for the full cost of this effort.

PASSED AND ADOPTED this 22nd day of September, 2021, 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
TO:                   Honorable Mayor and City Councilmembers
FROM:                 Gregory Wade, City Manager
MEETING DATE:         September 22, 2021
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- 08/21/21 through 09/03/21
Check Register-Disbursement Fund (Attachment 1) $ 572,176.44
Net Payroll September 3, 2021 182,749.74
Federal & State Taxes September 3, 2021 54,312.39

TOTAL $ 809,238.57

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 August 21, 2021 through September 3, 2021 reflects total expenditures of $809,238.57 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
#### 8/21/2021 - 9/3/2021

<table>
<thead>
<tr>
<th>Department</th>
<th>Vendor</th>
<th>Description</th>
<th>Check/EFT Number</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td><strong>100 - GENERAL FUND</strong></td>
<td>PREFERRED BENEFIT INS ADMIN INC.</td>
<td>DENTAL AUG 21</td>
<td>100330</td>
<td>$2,847.00</td>
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<tr>
<td></td>
<td>PREFERRED BENEFIT INS ADMIN INC.</td>
<td>EE# TIMING AUG 21</td>
<td>100330</td>
<td>($19.40)</td>
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<tr>
<td></td>
<td>ICMA PLAN 302817</td>
<td>PLAN NUMBER: 302817</td>
<td>9000335</td>
<td>$16,766.94</td>
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<tr>
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| 1005100 - CITY COUNCIL     | COUNTY OF SAN DIEGO_467                   | FY 21/22 LAFCO                     | 100312           | $7,812.80      |
| **TOTAL CITY COUNCIL**     | **TOTAL CITY COUNCIL**                    |                                   |                  | **$7,812.80**  |

<p>| 1005150 - CITY CLERK       | ANGELA IVEY                                | RIEMB-RECORDS ORDERED SD CNTY RCDR| 100341           | $2.00          |
|                            | ANGELA IVEY                                | RIEMB-CNTY CLERK OATH&amp;BOND-NOTARY | 100341           | $56.00         |</p>
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**TOTAL SUPPORT SERVICES** = $825.65

**TOTAL HUMAN RESOURCES** = $2,528.34

**TOTAL INFORMATION SERVICES** = $6,582.79

**TOTAL PLANNING** = $61.53

**TOTAL BUILDING SERVICES** = $25.20

**TOTAL PARKING ENFORCEMENT** = $219.46
WEX BANK | AUTO FUEL-JULY 21 | 100367 | $2,057.86
WEX BANK | AUTO FUEL-JULY 21 | 100367 | ($117.25)
WEX FLEET UNIVERSAL | AUTO FUEL-07/08-08/07 | 100368 | $283.65
ALLSTAR FIRE EQUIPMENT, INC | GLOVES/JCOAT/PATCHES-MONKEN | 100310 | $2,421.14
LAWNMOWERS PLUS | CHAINSAW & PARTS | 100322 | $2,464.67

**TOTAL FIRE DEPARTMENT**
$8,955.82

1006130 - ANIMAL CONTROL

HABITAT PROTECTION, INC | DEAD ANIMAL REMOVAL 08/05/21 | 100358 | $145.00

**TOTAL ANIMAL CONTROL**
$145.00

1006170 - MARINE SAFETY

US BANK | PEER SUPPORT TRAINING | 100337 | $135.00
US BANK | PATCH SEWING UNIFORMS | 100337 | $45.00
US BANK | LUNCH FOR EMR TRAINING | 100337 | $75.36
US BANK | PAINTERS TAPE | 100337 | $11.63
US BANK | MOTOR OIL | 100337 | $43.09
US BANK | TONER-JG TRAILER | 100337 | $117.45
US BANK | WIPER BLADES | 100337 | $31.14
US BANK | FUEL | 100337 | $93.99
US BANK | BINDERS/DIVIDERS/CLIPBOARDS | 100337 | $61.35
US BANK | FUEL | 100337 | $70.36
US BANK | FUEL | 100337 | $26.67
US BANK | SPARK PLUGS-2491 | 100337 | $21.51
US BANK | PLUMBING SUPPLIES RPR | 100337 | $5.32
US BANK | PLUMBING SUPPLIES RPR | 100337 | $7.06
US BANK | 2 TRAUMA BOXES | 100337 | $175.07
US BANK | T9 MARINE LUBE | 100337 | $43.57
US BANK | FUEL | 100337 | $100.00
US BANK | FUEL | 100337 | $47.49
US BANK | BARSTOOLS | 100337 | $105.60
US BANK | SURF BOARD RACK | 100337 | $33.94
US BANK | FUEL | 100337 | $61.94
US BANK | SHOVEL AND TOTE | 100337 | $21.31
US BANK | BOTTLED WATER | 100337 | $7.79
US BANK | NOZZLE/TAPE/CABLE TIES | 100337 | $335.04
US BANK | 10 MEMO PAD PACKS | 100337 | $66.20
US BANK | MOP HANDLE | 100337 | $15.07
WEX FLEET UNIVERSAL | AUTO FUEL-07/08-08/07 | 100368 | $685.30

**TOTAL MARINE SAFETY**
$2,443.25

1006510 - ENGINEERING

ONE DAY SIGNS | FC PRINTS W/APPLICATION | 100357 | $301.70
NORTH COUNTY TRANSIT DISTRICT | ANNUAL FEE -2/21-2/22 | 100356 | $299.49
VERIZON WIRELESS-SD | 362455526-07/02-08/01 | 100366 | $18.62
BUSINESS PRINTING COMPANY INC | BUS CARD-BORROMEO | 100345 | $103.18
WEX FLEET UNIVERSAL | AUTO FUEL-07/08-08/07 | 100368 | $185.10

**TOTAL ENGINEERING**
$908.09
### Environmental Services

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**Total Environmental Services**: $11,910.05

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**Total Street Maintenance**: $4,115.06

### Traffic Safety

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**Total Traffic Safety**: $37,496.19

### Park Maintenance

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**Total Park Maintenance**: $13,498.28
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**TOTAL PARK MAINTENANCE**

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**TOTAL COMMUNITY SERVICES**

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**TOTAL ASSET REPLACEMENT-CTY MNGR**

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<tr>
<td><strong>TOTAL CAMP PROGRAMS</strong></td>
<td></td>
<td>$4,510.78</td>
</tr>
</tbody>
</table>

**2706120 - PUBLIC SAFETY - LAW ENFORCEMENT**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>ENTERPRISE RENT A CAR</td>
<td>100315</td>
<td>$1,012.47</td>
</tr>
<tr>
<td>ROBERT BARRON</td>
<td>100331</td>
<td>$229.07</td>
</tr>
<tr>
<td>ROBERT BARRON</td>
<td>100331</td>
<td>$411.20</td>
</tr>
<tr>
<td>PHARMALINK, INC</td>
<td>100329</td>
<td>$150.00</td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC SAFETY - LAW ENFORCEMENT</strong></td>
<td></td>
<td>$1,802.74</td>
</tr>
</tbody>
</table>

**2706170 - PUBLIC SAFETY - EMERGENCY PREP**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>US BANK MEDICAL GLOVES</td>
<td>100337</td>
<td>$186.66</td>
</tr>
<tr>
<td>US BANK SURGICAL MASKS</td>
<td>100337</td>
<td>$67.25</td>
</tr>
<tr>
<td><strong>TOTAL PUBLIC SAFETY - EMERGENCY PREP</strong></td>
<td></td>
<td>$253.91</td>
</tr>
</tbody>
</table>

**4595550 - MISC. CAPITAL PROJECTS**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>KIMLEY-HORN AND ASSOCIATES, INC.</td>
<td>100319</td>
<td>$4,444.00</td>
</tr>
<tr>
<td><strong>TOTAL MISC. CAPITAL PROJECTS</strong></td>
<td></td>
<td>$4,444.00</td>
</tr>
</tbody>
</table>

**5097700 - SANITATION**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>TRANSAMERICAN MAILING &amp; FULFILLMENT</td>
<td>100364</td>
<td>$377.13</td>
</tr>
<tr>
<td>VERIZON WIRELESS-SD</td>
<td>100366</td>
<td>$5.32</td>
</tr>
<tr>
<td>US BANK FBO CITY OF SOLANA BEACH 2017 SWR BOND INT 9/1/21</td>
<td>8242101</td>
<td>$103,995.57</td>
</tr>
<tr>
<td>US BANK FBO CITY OF SOLANA BEACH 2017 SEJPA REV BOND 9/1/21</td>
<td>8242102</td>
<td>$219,056.25</td>
</tr>
<tr>
<td>WEX FLEET UNIVERSAL</td>
<td>100368</td>
<td>$201.93</td>
</tr>
<tr>
<td><strong>TOTAL SANITATION</strong></td>
<td></td>
<td>$323,636.20</td>
</tr>
</tbody>
</table>

**5507750 - SOLANA ENERGY ALLIANCE**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOSDAL APC</td>
<td>100334</td>
<td>$1,337.00</td>
</tr>
<tr>
<td><strong>TOTAL SOLANA ENERGY ALLIANCE</strong></td>
<td></td>
<td>$1,337.00</td>
</tr>
</tbody>
</table>

**6527820 - SUCCESSOR AGENCY**

<table>
<thead>
<tr>
<th>Item Description</th>
<th>Date</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>COLANTUONO, HIGHSMITH, &amp; WHATLEY PC</td>
<td>100311</td>
<td>$612.50</td>
</tr>
<tr>
<td><strong>TOTAL SUCCESSOR AGENCY</strong></td>
<td></td>
<td>$612.50</td>
</tr>
</tbody>
</table>
6738530 - MARSOLAN UNDERGROUNDING-DS
WELLS FARGO BANK
SOBEACH0724-ADMN FEE 7/21/21-7/23/22

100336

$450.00

TOTAL MARSOLAN UNDERGROUNDING-DS

$450.00

REPORT TOTAL: $572,176.44
TO: Honororable Mayor and City Councilmembers  
FROM: Gregory Wade, City Manager  
MEETING DATE: September 22, 2021  
ORIGINATING DEPT: Finance  
SUBJECT: Report on Changes Made to the General Fund Adopted Budget for Fiscal Year 2021/22  

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 September 8, 2021.

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.

<table>
<thead>
<tr>
<th>Action</th>
<th>Description</th>
<th>Revenues</th>
<th>Expenditures</th>
<th>Transfers from GF</th>
<th>Net Surplus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Reso 2021-092</td>
<td>Adopted Budget</td>
<td>22,694,100</td>
<td>(20,222,560)</td>
<td>(916,100)</td>
<td>$ 1,555,440</td>
</tr>
<tr>
<td>Reso 2021-086</td>
<td>Crossing Guards</td>
<td>121,540</td>
<td>(48,984)</td>
<td>-</td>
<td>1,627,046</td>
</tr>
<tr>
<td>Reso 2021-096</td>
<td>FY22 MOU</td>
<td>-</td>
<td>(950)</td>
<td>-</td>
<td>1,627,046</td>
</tr>
<tr>
<td>Reso 2021-103</td>
<td>Landscaping Maintenance Services</td>
<td>-</td>
<td>(40,000)</td>
<td>-</td>
<td>1,587,046</td>
</tr>
</tbody>
</table>

(1) Transfers to:  
- Debt Service for Public Facilities  
- City CIP Fund

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

COUNCIL ACTION:
FISCAL IMPACT:
N/A

WORK PLAN:
N/A

OPTIONS:
* Receive the report.
* Do not accept the report

DEPARTMENT RECOMMENDATION:
Staff recommends that the City Council receive the report listing changes made to the FY 2021-2022 General Fund Adopted Budget.

CITY MANAGER’S RECOMMENDATION:
Approve Department Recommendation

__________________________
Gregory Wade, City Manager
BACKGROUND:

Periodically, the City reviews its records to identify those available for official destruction. Destruction of records frees up storage space and helps Staff manage the large volume of records. Stockpiling vast amounts of public records increases the risk of misplacement and increases Staff management and time spent complying with subpoenas and records requests for documents that are no longer required to be retained. Therefore, the City conducts periodic destruction to manage its accumulation of records.

The maintenance and storage of records that are no longer required to be retained can be cumbersome due to inventory maintenance and add costs for offsite storage. It should be noted that records required and/or necessary to be retained by the City are kept for retention as required. Destruction of approved records is important to lessen the storage needs produced by documents that are no longer needed.

This item is before Council to consider adoption of Resolution 2021-113 (Attachment 1) approving the official destruction of obsolete records.

DISCUSSION:

Destruction of records is permitted in accordance with state law and the City’s Records Retention Schedule, which was adopted by Resolution 2000-34 and Resolution 2002-76. The City’s Retention Schedule contains state law requirements as well as additional City retention provisions to outline retention periods for various government records.

Resolution 2021-113 contains the attached Lists of Records to be Destroyed (Exhibit A of Resolution 2021-113) itemizing the description of documents that are prepared for
destruction. These documents are obsolete and may be destroyed in compliance with the City’s adopted Retention Schedule as well as procedures outlined in the City’s Records Management Manual including following all updated retention requirements of state regulations. After careful review of the records by the respective Department Staff, Department Heads, City Attorney and City Clerk/Custodian of Records, 16 boxes of obsolete records were carefully prepared and authorized for destruction.

**CEQA COMPLIANCE:** N/A

**FISCAL IMPACT:**

The City will save administrative and storage expenses by destroying records no longer needed or required to be retained. The cost of official destruction of these documents has been allocated within the Clerk Department’s budget to accommodate this service.

**WORK PLAN:** N/A

**OPTIONS:**

- Approve Staff recommendation.
- Do not approve Staff recommendation.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2021-113 authorizing the destruction of officially obsolete records.

**CITY MANAGER’S RECOMMENDATION:**

Approve Department Recommendation

[Signature]

Gregory Wade, City Manager

Attachments:

1. Resolution 2021-113
RESOLUTION 2021-113

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING DESTRUCTION OF CERTAIN OBSOLETE RECORDS

WHEREAS, the maintenance of numerous records is expensive, slows document retrieval, and is not necessary after a certain period of time, according to the Solana Beach Records Retention Schedule which adheres to various state codes and regulations; and

WHEREAS, the maintenance of these records does not provide for effective and efficient operation of the government of the City of Solana Beach; and

WHEREAS, Section 34090 of the Government Code of the State of California provides a procedure whereby any City record which has served its purpose and is no longer required may be officially destroyed; and

WHEREAS, the City Council adopted the Records Retention Schedule on June 6, 2000, and adopted a revised Records Retention Schedule on August 20, 2002; and

WHEREAS, the documents proposed for destruction were reviewed by the Department Directors and authorized for official destruction by the City Attorney and City Clerk/Custodian of Records, and are currently compliant with State Code retention requirements.

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 records of the City of Solana Beach, as set forth in the attached Lists of Records to be Destroyed (Exhibit A) attached hereto and incorporated herein by this reference, are hereby authorized to be destroyed as provided by Section 34090 et seq. of the Government Code of the State of California and in accordance with the provision of the adopted Solana Beach Records Retention Schedule and upon the consent of the Department Heads, City Attorney, and City Clerk/Custodian of Records.

3. That the City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

4. That this resolution shall become effective immediately upon its passage and adoption.
PASSED AND ADOPTED this 22nd day of September, 2021 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
Lists of Records to be Officially Destroyed
16 Boxes

<table>
<thead>
<tr>
<th></th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>HR/FIN – Employee Recruitment, Materials, Personnel Files, Working Files, Budgets, Bid Documents, Purchase Orders 1987-2014</td>
</tr>
<tr>
<td>2</td>
<td>FIN – Journals, Ledgers, Reconciliations, Registers, Reports, Transaction History FY 96/97</td>
</tr>
<tr>
<td>3</td>
<td>FIN – Journals, Ledgers, Reconciliations, Registers, Reports, Transaction History FY 97/98</td>
</tr>
<tr>
<td>8</td>
<td>FIN – Business License Working Files, Invoices, Cash Receipts 2002-2011</td>
</tr>
<tr>
<td>9</td>
<td>FIN – Warrants Nov-Dec 2011</td>
</tr>
<tr>
<td>10</td>
<td>FIN – Cash Receipts Jul-Nov 2010</td>
</tr>
<tr>
<td>11</td>
<td>FIN – Cash Receipts 2010-2011</td>
</tr>
<tr>
<td>13</td>
<td>FIN – Liability Insurance, AP Warrants, COPS Grant, Accounts Receivable, Cash &amp; Investment Reports 1987-2006</td>
</tr>
<tr>
<td>15</td>
<td>FIN – Claims Against the City working files</td>
</tr>
<tr>
<td>16</td>
<td>CLK/MS – Campaign Stmts, Dept payroll schedules</td>
</tr>
</tbody>
</table>
The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages __AD/HR, FIN Fin 6 & HR

City Clerk – Legal Info, Code Section: GC §34090, 29 CFR 1602.31 & 1627.3(b)(ii), 1627 3(2), 8 CCR §3204(d)(1) et seq., GC §§12946,

Documents Below Have Been Reviewed and Approved For Destruction:

### Human Resources
- CalPers Contract Working Files 1987-1993 (2 years)
- Insurance: Employee Vision Benefits 2014; AFLAC 1993-94 (Plan Term + 5 years)
- Drivers License Data, 2014 (2 years)

### Personnel Files (Separation + 5 Years)
- Exit Interviews 1998-2002 (Separation + 5 years)
- Thomas Campbell DOS 12-10-14

### Employee Recruitment - Selection Materials & Testing (3 years)
- Temporary Firefighter: Resumes, Oral Interview, Corresp. 2011

### Finance
- Budgets (When No Longer Required or 2 years)
- Cost of Services Study, Management Services Institute, September 1995 (10-year retention)
- Bid Documents (Duplicates) (Permanent on file with Agreement)
  - Tide Beach Park Lifeguard Station Platform, Stairway, Bid No. 1999-07, 8-1999
  - Reconstruction Work on Tide Beach Park Concrete Bag Seawall, Bid No. 1999-06, 8-1999
  - Street Repair and Crack Sealing on Lomas Santa Fe, Highway 101 and Stevens Ave., Bid No. 1999-05, 5-1999
  - Public Beach Access Lighting Del Mar Shores Terrace, Bid No. 1999-04, 6-1999
- Phone Questionnaire 6-1990 (2 years)

### Purchase Information
- Purchase Order Information Procurement Procedure, Purchase Order System, Payment of Purchaser Order Instructions, 1989-90 (2 years or until superceded)
- Contract Law Enforcement Technical Advisory Quarterly Meeting Agenda, March 5, 1997 (2 years)

---

Records Prepared / Inventoried By: Kay Vinson

Department Head: Pouneh Sammak

City Clerk/Custodian of Records: Angela Ivey

City Attorney: Johanna Canlas

Signature: Kay Vinson

Date: 8-19-21

Signature: Pouneh Sammak

Signature: Angela Ivey

Signature: Johanna Canlas
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages _______Finance ________________

City Clerk – Legal Info, Code Section: _34090___
Finance 2 – General Journal/Trial Balance

Documents Below Have Been Reviewed and Approved For Destruction:

Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories (monthly or periodic)

FY 96/97
• Journal Entries/Trial Balance
  o January, February, June
• Financial Statements/Encumbrances
  o February
• Special Runs for June (Audit Trail Report)

Records Prepared /
Inventoried By: _______A Kay Vinson___________ Signature: _______8-17-21_____

Department Head _______Ryan Smith__________ Signature: _______9/7/21________

City Clerk/Custodian of Records ___Angela Ivey_________ Signature: ________________

City Attorney ___Johanna Canlas___________ Signature: ________________

Form RM-4
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages Finance

City Clerk – Legal Info, Code Section: Finance 3 – General Journal/Trial Balance

Documents Below Have Been Reviewed and Approved For Destruction:

Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories (monthly or periodic FY 97/98
• End of Month Reports 6-97 through 12-97
• Fiscal Year-End Accruals
• Accounts Payable Report 1-98 (7 years after audit)

Records Prepared / Inventoried By: A Kay Vinson
Department Head Ryan Smith
City Clerk/Custodian of Records Angela Ivey
City Attorney Johanna Canlas

Signature:
Signature:
Signature:
Signature:

8-17-21
9/1/21

Date
Date
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ____________________ Finance __________________

City Clerk – Legal Info, Code Section: G.C. 34090, 29CFR 516.5 - 516.6 Finance 4 – Audit, Payroll, Developer Deposits, WC

Documents Below Have Been Reviewed and Approved For Destruction:

<table>
<thead>
<tr>
<th>Audits - Working Papers, Confirmation Letters, Schedules, Detail (7 years after audit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Combined Balance Sheet Preliminary Draft; Diehl, Evans &amp; Co., corresp., 6-30-87</td>
</tr>
<tr>
<td>Fire District Financial Statements Preliminary Draft, Diehl, Evans &amp; Co. 6-30-87</td>
</tr>
<tr>
<td>Single Audit Advisories/Information from California Controller, 1987-1990</td>
</tr>
<tr>
<td>Audit Proposals 1988-1992</td>
</tr>
<tr>
<td>Audit Proposals 1987-1989</td>
</tr>
<tr>
<td>Requests for Copies of Audits 1989-1990</td>
</tr>
<tr>
<td>Sanitation District Audit Working Papers, 1988-1989</td>
</tr>
</tbody>
</table>

| Payroll (7 years after audit)                                                        |
| PERS corresp. 1998                                                                    |
| Payroll Budget 2002, 2003                                                             |

<table>
<thead>
<tr>
<th>Developer Deposits 1983-1994 (Close of Deposit + 4 years)</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Workers Compensation Insurance Payments 7-1-98 through 5-15-2001 (Accounts Payable – 7 years after audit)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories (monthly or periodic)</td>
</tr>
</tbody>
</table>

Records Prepared / Inventoried By: A Kay Vinson
Signature: A Kay Vinson
Date: 8-18-21

Department Head Ryan Smith
Signature:
Date: 6/27/21

City Clerk/Custodian of Records Angela Ivey
Signature: Angela Ivey
Date:

City Attorney Johanna Canlas
Signature: Johanna Canlas
Date:
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ______ Finance

City Clerk – Legal Info, Code Section: _GC. 34090, CCP §337, 26 CFR 16001-1 / Finance 5 – Journal Entries, Bank Statements

Documents Below Have Been Reviewed and Approved For Destruction:

Payroll: July 1999 - December 1999 (7 years after audit)


Journal Entries & Bank Statements (7 years after audit)
- Period 13 (4 files) FY 1999-2000
- July 1999 - June 2000
- General Accounts (2 files)

Records Prepared / Inventoried By: ________A Kay Vinson_____________ Signature: ____________________________ 8-19-21 Date

Department Head ________Ryan Smith______ Signature: ____________________________ 9/1/21 Date

City Clerk/Custodian of Records __Angela Ivey_______ Signature: ____________________________ Date

City Attorney ____Johanna Canlas________ Signature: ____________________________ Date

Form RM-4
LIST OF RECORDS TO BE DESTROYED
The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages ______Finance ____________

City Clerk – Legal Info, Code Section: __34090____ Finance 1 – General Journal/Trial Balance

Documents Below Have Been Reviewed and Approved For Destruction:

Journals, Ledgers, Reconciliations, Registers, Reports, Transaction Histories (monthly or periodic)

- General Journal/Trial Balance
  - August 96/97 GS/TB
  - September 96/97 GJ/TB
  - May 97 JE/TB
  - April 97 TB/JE
  - July 96/97 GS/TB
  - Dec. 96/97 JE/TB

Records Prepared / Inventoried By: _____A Kay Vinson____ Signature: ___________ Date: __8-17-21__

Department Head ______Ryan Smith_________ Signature: ___________ Date: __9-9-21__

City Clerk/Custodian of Records __Angela Ivey_______ Signature: ___________ Date: ____________

City Attorney ____Johanna Canlas_________ Signature: ___________ Date: ____________
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages __ FIN

City Clerk – Legal Info, Code Section: GC §34090, 43900, CFR 16001-1, CCP §§336(a)(1) & (2), 337.5(2); GC §43900 et seq.
Fin 7 – Bank Statements Journal Entries (13527622)

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Bank Reconciliation & Statements, Trustee Statements, Transaction Statements (cancellation, redemption, maturity + 10 years)
- Account Statement (monthly) from U.S. Trust Company NA for the Solana Beach Public Facilities Corporation, City of Solana Beach, 95 Lease Payment Fund dated July 1, 1998 – June 30, 1999 (defeased and refunded in 2002)
- Account Statement (monthly) from U.S. Trust Company NA for City of Solana Beach, Certificates of Participation Series 1995 Fire Station Refunding Reserve Fund dated July 1, 2998-June 30, 1999 (defeased and refunded in 2002)
- Account Statement (monthly) from U.S. Trust Company NA for City of Solana Beach, Certificates of Participation Series 1995 Fire Station Refunding Expense Fund dated July 1, 1998-June 30, 1999 (defeased and refunded in 2002)
- Bank Statements – General Accounts FY 98-99
- Bank Statements – Payroll FY 98-99

Fiscal Year 1998-99 Journal Entries (7 years after audit)

Budget Transfer Requests & Journals (3 years after audit)
- Budget Transfers – Council FY 98-99
- Budget Transfers – Departments FY 98-99

Records Prepared / Inventoried By: Kay Vinson
Department Head: Ryan Smith
City Clerk/Custodian of Records: Angela Ivey
City Attorney: Johanna Canlas
Signature: ___________________________ 8-24-21
Signature: ___________________________ 9-4-21
Signature: ___________________________ 9-4-21
Signature: ___________________________ 9-4-21
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:
List reference pages of Retention Schedule Sections/Pages __ FIN
City Clerk – Legal Info, Code Section: GC §34090 / Fin 8 – Business License (not certificates), Invoices, Cash Receipts

Documents Below Have Been Reviewed and Approved For Destruction:

### Finance

**Business License Working Files** (2 years)
- Business License Sweep Meeting Notes, Copies of Outgoing Letters, Supporting Documentation 2009-2010
- Returned Mail – possible businesses without certificates 2009-2010
- Business Certificate Renewals Accounts Receivable Hand Notes

**Invoices** (7 years after audit)
- 2008 ESGIL Solana Beach Invoices
- 2008 ESGIL Del Mar Invoices

**Cash Receipts** (7 years after audit)
- Cash Receipts, May 2011
- Direct Deposit, May 2011
- Business License Corresp., May 2011
- Cash Deposit, May 2011
- Jr. Lifeguard Receipts, May 2011
- Cash Receipts, June 2011
- Direct Deposit, June 2011
- Jr. Lifeguard Receipts, June 2011
- Cash Deposit, June 2011

Records Prepared / Inventoried By: Kay Vinson
Signature: ______________ 8-25-21

Department Head: Ryan Smith
Signature: ______________ 9/4/21

City Clerk/Custodian of Records: Angela Ivey
Signature: ______________

City Attorney: Johanna Canlas
Signature: ______________
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages __ FIN Fin 9 – Warrants

City Clerk – Legal Info, Code Section: GC §34090, CCP §337

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Warrants (Copies of Accounts Payable Checks) (7 years after audit)

- November 2011 to December 2011, #077175-077549

---

Records Prepared / Inventoried By: Kay Vinson

Department Head Ryan Smith

City Clerk/Custodian of Records Angela Ivey

City Attorney Johanna Canlas

Signature: Kay Vinson

Signature: Ryan Smith

Signature: Angela Ivey

Signature: Johanna Canlas

8-25-21

7-9-21
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages FIN

City Clerk – Legal Info, Code Section: GC §34090 Fin 10 – Cash Receipts

Documents Below Have Been Reviewed and Approved For Destruction:

Finance

Cash Receipts (7 years after audit)
• July, 2010 - November 2010

Records Prepared / Inventoried By: Kay Vinson Signature: 8-25-21
Department Head Ryan Smith Signature: 9/1/10
City Clerk/Custodian of Records Angela Ivey Signature: 
City Attorney Johanna Canlas Signature:
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:
List reference pages of Retention Schedule Sections/Pages __ FIN
City Clerk – Legal Info, Code Section: GC §34090 Fin 11 – Cash Receipts, Direct Deposits, Bus. Lic. Renewal Copies

Documents Below Have Been Reviewed and Approved For Destruction:

**Finance**

Cash Receipts (7 years after audit)
- Cash Receipts, Direct Deposit, Business License Batch Edit List Report and Copies of Renewals Notices, December 2010
- Cash Receipts, Direct Deposit, Business License Batch Edit List Report and Copies of Renewals Notices, January 2011

Records Prepared / inventoried By: Kay Vinson

Department Head: Ryan Smith

City Clerk/Custodian of Records: Angela Ivey

City Attorney: Johanna Canlas

Signature: Kay Vinson

Signature: Ryan Smith

Signature: Angela Ivey

Signature: Johanna Canlas

Date: 8-25-21

Date: 9-1-21
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:
List reference pages of Retention Schedule Sections/Pages __ FIN

Records, Sec. Deposit, Purchase Orders

Documents Below Have Been Reviewed and Approved For Destruction:

Finance (7 years after audit)
- Grant Accounting Records (Block Grant) 2001-2003
- Balance Sheet Report, All Funds, Statement of Rev/Exp and Encumbrance by Account and Object, 6-30-96
- Engineering Deposit Reconciliations, 2000-2010
- Ramp Fees, 3rd Quarter 2004
- Accounts Receivable: Copies of Receipts/Checks for services 2007
- Purchase Orders FY 14-15

- Security Deposit Working Papers 1997-2015 (Close of Deposit + 4 years)

Records Prepared / Inventoried By: Kay Vinson Signature: ______________________ 8-25-21
Department Head Ryan Smith Signature: ______________________ 9/9/21
City Clerk/Custodian of Records Angela Ivey Signature: ______________________
City Attorney Johanna Canlas Signature: ______________________
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages __ FIN

City Clerk – Legal Info, Code Section: GC §34090, CCP §337 et seq. Fin – Liability, AP/AR, Petty Cash, Reports

Documents Below Have Been Reviewed and Approved For Destruction:

<table>
<thead>
<tr>
<th>Finance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Liability Insurance (10 years)</td>
</tr>
<tr>
<td>• Excess Liability: Driver/SANDPIPA Corresp., 1987-1992</td>
</tr>
<tr>
<td>• Pooled Liability: Driver/SANDPIPA Corresp., Endorsement, Liability Program, Certificates of Insurance, 1990-1992</td>
</tr>
<tr>
<td>AP Warrants (7 years after audit)</td>
</tr>
<tr>
<td>• Petty Cash: Voided and Carbon Copies of Checks #101-374. Both copies of unused Checks 375-400 Bank of America 3-2-00 – 4-19-02</td>
</tr>
<tr>
<td>• Petty Cash: Carbon Copies of Checks #500 – 777. Both copies of unused Checks 778-799 Union Bank 1-2-02 – 11-5-07</td>
</tr>
<tr>
<td>• Petty Cash; Requests for Payment 2006-2007</td>
</tr>
<tr>
<td>COPS Grant (7 years after audit)</td>
</tr>
<tr>
<td>FY 2007</td>
</tr>
<tr>
<td>FY 2002</td>
</tr>
<tr>
<td>Accounts Receivable (7 years after audit)</td>
</tr>
<tr>
<td>North County Transit District 1993-2001</td>
</tr>
<tr>
<td>Cash &amp; Investment Reports (7 years after audit)</td>
</tr>
<tr>
<td>FY 2005-2006</td>
</tr>
</tbody>
</table>

Records Prepared / Inventoried By: Kay Vinson

Department Head Ryan Smith

City Clerk/Custodian of Records Angela Ivey

City Attorney Johanna Canlas

Signature: Kay Vinson 8-25-21

Signature: Ryan Smith 7/8/11

Signature: Angela Ivey

Signature: Johanna Canlas
# LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages __ FIN

City Clerk – Legal Info, Code Section: GC §34090, CCP §337 et seq. Fin 14 Dir. Working Files

**Documents Below Have Been Reviewed and Approved For Destruction:**

### Finance
**Director Working File (2 years)**
- Corresp./Meeting Notes, Budget & Finance Comm., Sales Tax Info, Fire Benefit Charge Ordinance History, budget info, speed trailer insurance, bond info., litigation dismissal, 2006-2011
- County of San Diego Local & State Assessed Valuation Reports, FY 2010-11
- Vendor Application Development 2013
- Refundable Deposits (Close of Deposit + 4 years)

### Accounting Records
(7 years after audit)
- Park Projects Block Grant 2003-2006
- Cash Receipts 1999-2000
- TDA/Transnet Claims 1996-2002
- Coastal Rail Trail 2001-2003
- Beach Sand Donations 1998
- Refund of Fees 1998-2001
- Revenue Audit Trails 2000-2003

### Revenue Bonds/Investment Reports
(Disposal + 7 years after audit)
- Cash & Investment Reports 2005-2008

---

**Records Prepared / Inventoried By:** Kay Vinson  
**signature:** 8-25-21

**Department Head** Ryan Smith  
**signature:** 9/4/21

**City Clerk/Custodian of Records** Angela Ivey  
**signature:**

**City Attorney** Johanna Canlas  
**signature:**
**LIST OF RECORDS TO BE DESTROYED**

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages _AD/HR, FIN Fin 6 & HR

City Clerk – Legal Info, Code Section: GC §34090, 29 CFR 1602.31 & 1627.3(b)(ii), 1627 3(2), 8 CCR §3204(d)(1) et seq., GC §§12946.

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Documents Below Have Been Reviewed and Approved For Destruction:

<table>
<thead>
<tr>
<th>Finance/Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Ashford, 03-11-1989, loss and damage of property, 09-14-1989</td>
</tr>
<tr>
<td>- Atchley, 05-03-2002, ticketing incident, 01-30-2003</td>
</tr>
<tr>
<td>- Burnham, automobile accident, 01-14-1987</td>
</tr>
<tr>
<td>- Bennett, 08-24-2001 and 08-31-2001, side mirror damaged, 06-12-2002</td>
</tr>
<tr>
<td>- Burke, 09-05-1999, claim for personal injury, 01-22-2001</td>
</tr>
<tr>
<td>- Burks, 10-20-2001, sewer backup, 07-17-2002</td>
</tr>
<tr>
<td>- Cavanaugh, 2003, claim for money or damages, 12-18-2003</td>
</tr>
<tr>
<td>- Christianson, 08-19-2002, trip &amp; fall, 08-28-2002</td>
</tr>
<tr>
<td>- Nevada International Capital Corporation Rock Star Enterprises, Inc., 05-14-1987</td>
</tr>
<tr>
<td>- Kempf, 09-17 or 18 or 19-2001, rock hit windshield, Nov-2001</td>
</tr>
<tr>
<td>- Kirk, K, 08-01-2001, defamation, 06-06-2003</td>
</tr>
<tr>
<td>- Lukomsky, 09-24-2000, automobile/ped incident, 01-23-2003</td>
</tr>
<tr>
<td>- Garcia, 08-29-02, pothole, 05-08-2003</td>
</tr>
<tr>
<td>- Glatts, 12-12-1989, permit violation, 01-04-1990</td>
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<tr>
<td>- Lunceford, 08-17-2001, sewer main line blockage, 10-30-2001</td>
</tr>
<tr>
<td>- Lane, 03-16-2003, sewer service charge, 05-14-2003</td>
</tr>
<tr>
<td>- Mitchell, D, - distress, 06-06-2003</td>
</tr>
<tr>
<td>- Osborn, 03-03-2002, sewer backup, 09-19-2002,</td>
</tr>
<tr>
<td>- Pacific Bell, 12-07-2001, property damage, 01-27-2003</td>
</tr>
<tr>
<td>- Pacific Bell, 09-13-2001, property damage, 05-31-2002</td>
</tr>
<tr>
<td>- Rameriz-Guizar, 12-21-1987, civil complaint, 12-22-1987</td>
</tr>
<tr>
<td>- Reilly, 07-02-2001, automobile incident in city parking lot, 08-02-2001</td>
</tr>
<tr>
<td>- Saddleridge, LLC, claim again city over construction, 03-07-2003</td>
</tr>
<tr>
<td>- Solana Beach Right to Vote committee lawsuit,11-20-2001</td>
</tr>
<tr>
<td>- Voss, sewer damage, 01-18ry-2002</td>
</tr>
</tbody>
</table>

---

Records Prepared / Inventoried By: Grace Ojeda  Signature:__________________________

Department Head Ryan Smith / Risk__________________________ Signature:__________________________ Date 9/13/21

City Clerk/Custodian of Records Angela Ivey  Signature:__________________________

City Attorney Johanna Canlas  Signature:__________________________ Date 9/13/21
LIST OF RECORDS TO BE DESTROYED

The records listed below are scheduled to be destroyed, as indicated on:

List reference pages of Retention Schedule Sections/Pages CW4, CW5, CC1, CC4, CC5, CC3, CC6, F/MS3, F/MS7

City Clerk – Legal Info, Code Section: GC §§34090, CCP 337, G.C. 81009(e), GC 911.2, E.C. 17100

Documents Below Have Been Reviewed and Approved For Destruction:

City Clerk Files

File 0430-54 Campaign Statements (Form 461) non-candidate committees
Patient Care Assoc. of Ca. 2012

File 0430-52 FPPC – Statements of Organization (Form 410) – past candidates/committees

File 0430-53 Campaign Statement (Forms 460/470, 465) past committees, candidates
Real Property Rights, Save Old Solana (2 files), Beach & Bluff Conservancy Major Donor, SD County Apartment Assoc. PAC, Unite Solana, L.O.C.A.L.S, No on A, Preliminary funded by the CA Assoc. of Realtors IMPAC – terminated 6/30/07, Citizen for Patient Rights, Deanne Borer – terminated 12/18/06, Paul Frankel – Pre Election Filings, Vicki Driver – Pre Election Filings, Mark Kersey, Cynthia Walsh – Pre Election Filings

File 0430-55 Campaign Statements & Independent Expenditure Committee (Forms 465, 461, 465, 496, 497)
Citizens for Patient Rights, San Diego County for Progress & Reform, Peter House

Marine Safety Dept

Dept. Payroll Timesheets/Schedules 2013-2017

Records Prepared / Inventoried By: Grace Ojeda-Ryan Signature: ___________________________ 4-13-21

Department Head Angela Ivey, Jason Shook Signature: ___________________________ Date

City Clerk/Custodian of Records Angela Ivey, City Clerk Signature: ___________________________ Date

City Attorney Johanna Canlas, City Attorney Signature: ___________________________ Date
STAFF REPORT
CITY OF SOLANA BEACH

TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: September 22, 2021
ORIGINATING DEPT: Engineering Department
SUBJECT: Council Consideration of Resolution 2021-111 to Amend the Professional Services Agreement with Ting Fiber Inc. to Include Additional High Speed Internet Communication Services

BACKGROUND:

In October 2020, after a comprehensive Request for Proposal (RFP) process, the City Council authorized the City Manager to execute a Professional Services Agreement (PSA) with Ting Fiber, Inc. (Ting) to provide high-speed internet services for several City facilities. The high-speed internet services are provided using the existing fiber optic network constructed by Netly, LLC (Netly) under an Encroachment Maintenance and Removal Agreement (EMRA) that has an effective date of July 5, 2019.

The City’s current agreement with Ting’s internet service and Multiprotocol Label Switching Layer 2 network covers almost all City facilities, including the Marine Safety Center Lifeguard Station at Fletcher Cove. This agreement does not include extension of these services to the Tide Beach Park and Del Mar Shores satellite lifeguard stations.

This item is before the City Council for the consideration of Resolution 2021-111 (Attachment 1), which would authorize the City Manager to execute an amendment to the PSA with Ting to include a provision for internet services at Tide Beach Park and Del Mar Shores satellite lifeguard stations.

DISCUSSION:

Providing internet services for the two satellite lifeguard stations is highly desirable to enhance communications between the lifeguards on-duty at these stations and the Marine Safety headquarters at Fletcher Cove as well as other City facilities. A fiber optic network is currently available along the public roads serving the two subject satellite lifeguard stations.

COUNCIL ACTION:

__________________________________________________________

__________________________________________________________

AGENDA ITEM # A.5.
lifeguard stations. City Staff confirmed extensions of the fiber optic lines from the public right-of-way to the Tide Beach Park and Del Mar Shores satellite lifeguard stations would also provide adequate internet services to support a required surf monitoring program currently being implemented by the City.

**CEQA COMPLIANCE STATEMENT:**

Not a project as defined by CEQA.

**FISCAL IMPACT:**

The cost for extending the fiber optic lines from the adjoining streets to the satellite lifeguard stations is estimated to be a one-time installation cost of $8,000 to be performed under the terms of the existing PSA. The cost of providing internet services is $450 per month per location. The total cost of this amendment for a two-year monitoring program is $29,600, which includes the one-time installation cost.

Should the Council approve the amendment to the PSA, Staff is recommending appropriating funds in the Sand Replenishment TOT capital fund. These appropriations would be made to the FY 2021/22 Adopted Budget for $18,800 and to the FY 2022/23 Adopted Budget for $10,800 for the cost of extending the fiber optic lines and providing internet service.

**WORKPLAN:**

N/A

**OPTIONS:**

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

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2021-111:

1. Authorizing the City Manager to execute an amendment to the Professional Services Agreement with Ting Fiber, Inc., in an amount not to exceed $30,000 for additional internet services at the Tide Beach Park and Del Mar Shores satellite lifeguard stations.

2. Appropriating $18,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2021/22.
3. Appropriating $10,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.

4. Authorizing the City Treasurer to amend the FY 2021/22 and FY 2022/23 Adopted Budget accordingly.

CITY MANAGER’S RECOMMENDATION:

Approve Department Recommendation.

_________________________
Gregory Wade, City Manager

Attachment:

1. Resolution 2021-111
RESOLUTION 2021-111

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, APPROVING AN AMENDMENT TO THE AGREEMENT FOR HIGH SPEED INTERNET SERVICES WITH TING FIBER, INC. TO PROVIDE SERVICES AT TWO SATELLITE LIFEGUARD STATIONS

WHEREAS, in October 2020, after a comprehensive Request for Proposal (RFP) process, the City Council authorized the City Manager to execute a Professional Services Agreement (PSA) with Ting Fiber, Inc. (Ting) to provide high speed internet services for several City facilities. The high speed internet services are provided via Multiprotocol Label Switching layer 2 system using the existing fiber optic network constructed by Netly, LLC (Netly) under an Encroachment Maintenance and Removal Agreement (EMRA) that has an effective date of July 5, 2019; and

WHEREAS, the City’s current agreement with Ting covers almost all City facilities, including the Marine Safety Center Lifeguard Station at Fletcher Cove. This agreement does not include extension of internet services to the Tide Beach Park and Del Mar Shores satellite lifeguard stations; and

WHEREAS, providing internet services for the two satellite lifeguard stations is highly desirable to enhance communications between the lifeguards on-duty at these stations and the Marine Safety headquarters at Fletcher Cove as well as other City facilities; and

WHEREAS, fiber optic network is currently available along the public roads serving the two subject satellite lifeguard stations. City Staff confirmed extensions of the fiber optic lines from the public right-of-way to the Tide Beach Park and Del Mar Shores satellite lifeguard stations would provide adequate internet services to improve communications between Lifeguards and other City Departments.

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

1. That the above recitations are true.

2. That the City Council authorizes the City Manager to execute an amendment to the Professional Services Agreement with Ting Fiber, Inc., in an amount not to exceed $30,000 for additional internet services at the Tide Beach Park and Del Mar Shores satellite lifeguard stations.

3. That the City Council appropriates $18,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2021/22.
4. That the City Council appropriates $10,800 in the Sand Replenishment TOT fund to the Professional Services expenditure account in FY 2022/23.

5. That the City Council authorizes the City Treasurer to amend the FY 2021/22 and FY 2022/23 Adopted Budget accordingly.

PASSED AND ADOPTED this 22nd day of September, 2021, 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:  

______________________________  
JOHANNA N. CANLAS, City Attorney

ATTEST:

______________________________  
ANGELA IVEY, City Clerk
TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: September 22, 2021
ORIGINATING DEPT: City Manager’s Department

BACKGROUND:

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

The City of Solana Beach’s (“City”) CCA, Solana Energy Alliance (“SEA”), was established by the City Council through adoption of Ordinance 483 on December 13, 2017 and began serving customers in June 2018. In May 2021, SEA customers were transferred to Clean Energy Alliance (“CEA”), a new CCA formed by the cities of Carlsbad, Del Mar and Solana Beach.

This item is before the City Council to consider adoption of Resolution 2021–114 authorizing the attestation of the 2020 Power Source Disclosure Annual Report and the 2020 Power Content Labels. This action is necessary to comply with the California Energy Commission’s (CEC) Power Source Disclosure Program. The data reflects SEA’s power content during calendar year 2020.
DISCUSSION:

California Public Utilities Code requires all retail sellers of electric energy, including SEA, to disclose “accurate, reliable, and simple-to-understand information on sources of energy” that are delivered to their respective customers. Applicable regulations direct retail sellers to provide such communications prior to October 1st of each year. The format for requisite communications is highly prescriptive, offering little flexibility to retail sellers when presenting such information to customers. This format has been termed the Power Content Label, or PCL, by the CEC. The PCLs (SEA Choice and SEA Green) before the Council is for the 2020 calendar year.

Information presented in the PCL includes the share of total energy supply related to various resource types, including both renewable and conventional fuel sources as well as greenhouse gas emissions intensity of the power supply portfolios. If a retail seller meets a certain percentage of its supply obligation from unspecified resources, the report must identify such purchases as “unspecified sources of power”. Unspecified sources of power refer to electricity that cannot be traced back to a specific generator, such as energy purchased from the market at large or from broadly defined portfolios of generating resources.

During the 2020 calendar year, SEA delivered a substantial portion of its electric energy supply from renewable and carbon free energy sources, including biomass & biowaste, wind and large hydroelectric. For SEA Choice customers, 35% of total energy supply was sourced from renewable, 59.3% from carbon free sources and 14% from unbundled RECs, for a total 94.3% carbon free energy product. For SEA Green customers, 100% of energy deliveries were sourced from renewable energy resources, specifically biomass and biowaste sources. The PCL form is a CEC template, which each retail seller is expected to complete. A copy of SEA's PCL is attached for reference. In compliance with CEC requirements, the PCL will be mailed to SEA customers in September.

To fulfill its Power Source Disclosure Program reporting obligations for 2020, SEA must also provide the CEC with its Council’s attestation regarding the accuracy of information included in the PCL. Current Power Source Disclosure Program regulations allow public agencies, including SEA, to provide a self-attestation with regard to the accuracy of information reported for its retail electric service offerings.

It is recommended, based on reviews previously completed by Staff and external technical consultants, that City Council attest to the accuracy of information included in the 2020 PCL related to the SEA Choice and SEA Green supply portfolios and adopt Resolution 2021-114.

Upon approval, a copy of this Staff Report and resolution will be forwarded to the CEC, thereby completing SEA’s PCL reporting obligation for the 2020 calendar year.
CEQA COMPLIANCE STATEMENT:

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

FISCAL IMPACT:

The cost of mailing the Power Content Label was included in the approved Fiscal Year 2021/22 budget.

WORK PLAN:

Environmental Sustainability – Policy Development – Implement Solana Energy Alliance

OPTIONS:

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

DEPARTMENT RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2021 - 114 attesting to the veracity of information provided in Solana Energy Alliance’s 2020 SEA Choice Power Content Label; SEA Green Power Content Label and SEA’s Power Source Disclosure Report based on Staff and consultant input and review.

CITY MANAGER RECOMMENDATION:

Approve Department Recommendation.

_________________________
Gregory Wade, City Manager

Attachments:

2. 2020 SEA Power Content Label
3. 2020 SEA Choice Power Source Disclosure Report
4. 2020 SEA Green Power Source Disclosure Report
RESOLUTION 2021-114

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, ATTESTING TO THE VERACITY OF INFORMATION IN SOLANA ENERGY ALLIANCE’S 2020 POWER CONTENT LABEL AND POWER SOURCE DISCLOSURE REPORT

WHEREAS, the City Council established Solana Energy Alliance through adoption of Ordinance 483 on December 13, 2017; and

WHEREAS, Solana Energy Alliance served customers June 2018 through May 2021; and

WHEREAS, as a load serving entity, Solana Energy Alliance is required to annually prepare a Power Source Disclosure Report and Power Content Label disclosing information on sources of energy; and

WHEREAS, Solana Energy Alliance’s 2020 Power Source Disclosure Report and Power Content Label have been prepared in compliance with California Energy Commission requirements.

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 attests to the veracity of information provided in Solana Energy Alliance’s 2020 SEA Choice Power Content Label, SEA Green Power Content Label and Power Source Disclosure Report.
PASSED AND ADOPTED this 22nd day of September, 2021, 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
## 2020 POWER CONTENT LABEL

### City of Solana Beach / Solana Energy Alliance

[https://solanaenergyalliance.org/about/PowerSources](https://solanaenergyalliance.org/about/PowerSources)

**Greenhouse Gas Emissions Intensity**

(lbs CO$_2$e/MWh)

<table>
<thead>
<tr>
<th>Energy Resources</th>
<th>SEA Choice</th>
<th>SEA Green</th>
<th>2020 CA Utility Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eligible Renewable$^1$</td>
<td>35.0%</td>
<td>100.0%</td>
<td>33.1%</td>
</tr>
<tr>
<td>Biomass &amp; Biowaste</td>
<td>24.8%</td>
<td>100.0%</td>
<td>2.5%</td>
</tr>
<tr>
<td>Geothermal</td>
<td>0.0%</td>
<td>0.0%</td>
<td>4.9%</td>
</tr>
<tr>
<td>Eligible Hydroelectric</td>
<td>0.0%</td>
<td>0.0%</td>
<td>1.4%</td>
</tr>
<tr>
<td>Solar</td>
<td>0.0%</td>
<td>0.0%</td>
<td>13.2%</td>
</tr>
<tr>
<td>Wind</td>
<td>10.3%</td>
<td>0.0%</td>
<td>11.1%</td>
</tr>
<tr>
<td>Coal</td>
<td>0.0%</td>
<td>0.0%</td>
<td>2.7%</td>
</tr>
<tr>
<td>Large Hydroelectric</td>
<td>59.3%</td>
<td>0.0%</td>
<td>12.2%</td>
</tr>
<tr>
<td>Natural Gas</td>
<td>0.0%</td>
<td>0.0%</td>
<td>37.1%</td>
</tr>
<tr>
<td>Nuclear</td>
<td>0.0%</td>
<td>0.0%</td>
<td>9.3%</td>
</tr>
<tr>
<td>Other</td>
<td>0.0%</td>
<td>0.0%</td>
<td>0.2%</td>
</tr>
<tr>
<td>Unspecified Power$^2$</td>
<td>5.7%</td>
<td>0.0%</td>
<td>5.4%</td>
</tr>
<tr>
<td>TOTAL</td>
<td>100.0%</td>
<td>100.0%</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

### Greenhouse Gas Emissions Intensity

<table>
<thead>
<tr>
<th>Year</th>
<th>SEA Choice</th>
<th>SEA Green</th>
<th>2020 CA Utility Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>2020</td>
<td>156</td>
<td>56</td>
<td>466</td>
</tr>
</tbody>
</table>

---

### Percentage of Retail Sales Covered by Retired Unbundled RECs$^3$:

<table>
<thead>
<tr>
<th></th>
<th>SEA Choice</th>
<th>SEA Green</th>
<th>2020 CA Utility Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>14%</td>
<td>0%</td>
<td>100.0%</td>
<td></td>
</tr>
</tbody>
</table>

---

$^1$The eligible renewable percentage above does not reflect RPS compliance, which is determined using a different methodology.

$^2$Unspecified power is electricity that has been purchased through open market transactions and is not traceable to a specific generation source.

$^3$Renewable energy credits (RECs) are tracking instruments issued for renewable generation. Unbundled renewable energy credits (RECs) represent renewable generation that was not delivered to serve retail sales. Unbundled RECs are not reflected in the power mix or GHG emissions intensities above.

---

For specific information about this electricity portfolio, contact:

City of Solana Beach / Solana Energy Alliance

(858) 720-4422

For general information about the Power Content Label, visit:

[http://www.energy.ca.gov/pcl/](http://www.energy.ca.gov/pcl/)

For additional questions, please contact the California Energy Commission at:

Toll-free in California: 844-454-2906
Outside California: 916-653-0237
2020 POWER SOURCE DISCLOSURE ANNUAL REPORT
For the Year Ending December 31, 2020

Retail suppliers are required to use the posted template and are not allowed to make edits to this format. Please complete all requested information.

GENERAL INSTRUCTIONS

<table>
<thead>
<tr>
<th>RETAIL SUPPLIER NAME</th>
<th>City of Solana Beach d/b/a Solana Energy Alliance</th>
</tr>
</thead>
<tbody>
<tr>
<td>ELECTRICITY PORTFOLIO NAME</td>
<td>SEA Choice</td>
</tr>
</tbody>
</table>

CONTACT INFORMATION

| NAME | Gregory Wade |
| TITLE | City Manager |
| MAILING ADDRESS | 635 S. Highway 101 |
| CITY, STATE, ZIP | Solana Beach, CA 92075 |
| PHONE | 858-720-2431 |
| EMAIL | gwade@cosb.org |
| WEBSITE URL FOR PCL POSTING | https://solanaenergyalliance.org/your-options/sea-choice/ |

Submit the Annual Report and signed Attestation in PDF format with the Excel version of the Annual Report to PSDprogram@energy.ca.gov. Remember to complete the Retail Supplier Name, Electricity Portfolio Name, and contact information above, and submit separate reports and attestations for each additional portfolio if multiple were offered in the previous year.

NOTE: Information submitted in this report is not automatically held confidential. If your company wishes the information submitted to be considered confidential an authorized representative must submit an application for confidential designation (CEC-13), which can be found on the California Energy Commissions’s website at https://www.energy.ca.gov/about/divisions-and-offices/chief-counsels-office.

If you have questions, contact Power Source Disclosure (PSD) staff at PSDprogram@energy.ca.gov or (916) 639-0573.
INTRODUCTION

Retail suppliers are required to submit separate Annual Reports for each electricity portfolio offered to California retail consumers in the previous calendar year. Enter the Retail Supplier Name and Electricity Portfolio Name at the top of Schedule 1, Schedule 2, Schedule 3, and the Attestation.

A complete Annual Report includes the following tabs:

<table>
<thead>
<tr>
<th>Tab</th>
</tr>
</thead>
<tbody>
<tr>
<td>PSD Intro</td>
</tr>
<tr>
<td>Instructions</td>
</tr>
<tr>
<td>Schedule 1 - Procurements and Retail Sales</td>
</tr>
<tr>
<td>Schedule 2 - Retired Unbundled Renewable Energy Credits (RECs)</td>
</tr>
<tr>
<td>Schedule 3 - Annual Power Content Label Data</td>
</tr>
<tr>
<td>GHG Emissions Factors</td>
</tr>
<tr>
<td>Asset-Controlling Supplier (ACS) Procurement Calculator</td>
</tr>
<tr>
<td>PSD Attestation</td>
</tr>
</tbody>
</table>

INSTRUCTIONS

Schedule 1: Procurements and Retail Sales
Retail suppliers of electricity must complete this schedule by entering information about all power procurements and generation that served the identified electricity portfolio covered in this filing in the prior year. The schedule is divided into sections: directly delivered renewables, firmed-and-shaped imports, specified non-renewables, and procurements from ACSs. Insert additional rows as needed to report all procurements or generation serving the subject product. Provide the annual retail sales for the subject product in the appropriate space. At the bottom of Schedule 1, provide the retail suppliers’ other electricity end-uses that are not retail sales, such as transmission and distribution losses. Retail suppliers shall submit a purchase agreement or ownership arrangement documentation substantiating that any eligible firmed-and-shaped product for which it is claiming an exclusion was executed prior to January 1, 2019. Any retail supplier that offered multiple electricity portfolios in the prior year must submit separate Annual Reports for each portfolio offered.

**Specified Purchases:** A Specified Purchase refers to a transaction in which electricity is traceable to specific generating facilities by any auditable contract trail or equivalent, such as a tradable commodity system, that provides commercial verification that the electricity claimed has been sold once and only once to retail consumers. Do not enter data in the grey fields. For specified purchases, include enter following information for each line item:

- **Facility Name** - Provide the name used to identify the facility.
- **Fuel Type** - Provide the resource type (solar, natural gas, etc.) that this facility uses to generate electricity.
- **Location** - Provide the state or province in which the facility is located.
- **Identification Numbers** - Provide all applicable identification numbers from the Western Renewable Energy Generation Information System (WREGIS), the Energy Information Agency (EIA), and the California Renewables Portfolio Standard (RPS).
- **Gross Megawatt Hours Procured** - Provide the quantity of electricity procured in MWh from the generating facility.
- **Megawatt Hours Resold** - Provide the quantity of electricity resold at wholesale.

**Unspecified Power:** Unspecified Power refers to electricity that is not traceable to specific generation sources by any auditable contract trail or equivalent, or to power purchases from a transaction that expressly transferred energy only and not the RECs associated from a facility. Do not enter procurements of unspecified power. The schedule will calculate unspecified power procurements automatically.

Schedule 2: Retired Unbundled RECs
Complete this schedule by entering information about unbundled REC retirements in the previous calendar year.

Schedule 3: Annual Power Content Label Data
This schedule is provided as an automated worksheet that uses the information from Schedule 1 to calculate the power content and GHG emissions intensity for each electricity portfolio. The percentages calculated on this worksheet should be used for your Power Content Label.

**ACS Resource Mix Calculator**
Retail suppliers may report specified purchases from ACS system power if the ACS provided its fuel mix of its specified system mix to the Energy Commission. Use the calculator to determine the resource-specific procurement quantities, and transfer them to Schedule 1.

**GHG Emissions Factors**
This tab will be displayed for informational purposes only; it will not be used by reporting entities, since the emissions factors below auto-populate in the relevant fields on Schedules 1 & 3.

**Attestation**
This template provides the attestation that must be submitted with the Annual Report to the Energy Commission, stating that the information contained in the applicable schedules is correct and that the power has been sold once and only once to retail consumers. This attestation must be included in the package that is transmitted to the Energy Commission. Please provide the complete Annual Report in Excel format and the complete Annual Report with signed attestation in PDF format as well.
## 2020 POWER SOURCE DISCLOSURE ANNUAL REPORT
### SCHEDULE 1: PROCUREMENTS AND RETAIL SALES
#### For the Year Ending December 31, 2020
##### SOLANA ENERGY ALLIANCE
##### SEA CHOICE

Instructions: Enter information about power procurements underlying this electricity portfolio for which your company is filing the Annual Report. Insert additional rows as needed. Fields in grey should be filled out. For EIA IDs for unspecified power or specified system mixes from asset controlling suppliers, enter "unspecified", "APA", "Powerex," or "Tacoma" as applicable. For specified procurements of ACS power, use the ACS Procurement Calculator to calculate the resource breakdown.c EIA IDs for unspecified power or specified system mixes from asset controlling suppliers, enter "unspecified", "BPA," "Powerex," or "Tacoma" as applicable. For specified procurements of ACS power, use the ACS Procurement Calculator to calculate the resource breakdown.

### DIRECTLY DELIVERED RENEWABLES

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>WREGIS ID</th>
<th>RPS ID</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>Mean MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>ACS Procurement Calculator Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearwater Paper Corporation - #3 turbine generator</td>
<td>Biomass &amp; biofuel</td>
<td>OR</td>
<td>W128</td>
<td>00533A</td>
<td>50637</td>
<td>13,647</td>
<td>11,647</td>
<td>11,647</td>
<td>3,252</td>
<td>0.0252</td>
<td>294</td>
</tr>
<tr>
<td>Clearwater Paper Corporation - #4 turbine generator</td>
<td>Biomass &amp; biofuel</td>
<td>OR</td>
<td>W129</td>
<td>00533A</td>
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<td>-</td>
<td>-</td>
<td>-</td>
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### FIRMED-AND-SHAPED IMPORTS

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<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>WREGIS ID</th>
<th>RPS ID</th>
<th>EIA ID</th>
<th>REC Source</th>
<th>EIA ID of Substitute Power</th>
<th>Gross MWh Procured</th>
<th>Mean MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
<th>Eligible for Grandfathered Emissions?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elkhorn Valley Wind Farm - Elkhorn Valley Wind Farm</td>
<td>Wind</td>
<td>OR</td>
<td>W186</td>
<td>01034A</td>
<td>56623</td>
<td></td>
<td></td>
<td>1,783</td>
<td>1,660</td>
<td>192</td>
<td>192</td>
<td>0.4252</td>
<td>2,114</td>
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<tr>
<td>Elkhorn Valley Wind Farm - Elkhorn Valley Wind Farm</td>
<td>Wind</td>
<td>OR</td>
<td>W186</td>
<td>01034A</td>
<td>56623</td>
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<td></td>
<td>5,238</td>
<td>5,238</td>
<td>5,238</td>
<td>5,238</td>
<td>0.4252</td>
<td>2,114</td>
<td>-</td>
</tr>
<tr>
<td>Elkhorn Valley Wind Farm - Elkhorn Valley Wind Farm</td>
<td>Wind</td>
<td>OR</td>
<td>W186</td>
<td>01034A</td>
<td>56623</td>
<td></td>
<td></td>
<td>486</td>
<td>288</td>
<td>192</td>
<td>192</td>
<td>0.4252</td>
<td>2,114</td>
<td>-</td>
</tr>
<tr>
<td>Elkhorn Valley Wind Farm - Elkhorn Valley Wind Farm</td>
<td>Wind</td>
<td>OR</td>
<td>W186</td>
<td>01034A</td>
<td>56623</td>
<td></td>
<td></td>
<td>18</td>
<td>18</td>
<td>-</td>
<td>-</td>
<td>0.4252</td>
<td>2,114</td>
<td>-</td>
</tr>
<tr>
<td>Elkhorn Valley Wind Farm - Elkhorn Valley Wind Farm</td>
<td>Wind</td>
<td>OR</td>
<td>W186</td>
<td>01034A</td>
<td>56623</td>
<td></td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>0.4252</td>
<td>2,114</td>
<td>-</td>
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</tbody>
</table>

### SPECIFIED NON RENEWABLE PROCUREMENTS

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>Mean MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mid-C Hydro - Rock Island (Chelan County PUO)</td>
<td>Large hydro</td>
<td>WA</td>
<td>6200</td>
<td>4,798</td>
<td>14,798</td>
<td>14,798</td>
<td>14,798</td>
<td>14,798</td>
<td>-</td>
<td>0.0252</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mid-C Hydro - Rocky Reach (Chelan County PUO)</td>
<td>Large hydro</td>
<td>WA</td>
<td>3883</td>
<td>2,931</td>
<td>2,931</td>
<td>2,931</td>
<td>2,931</td>
<td>2,931</td>
<td>-</td>
<td>0.0252</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Mid-C Hydro - Priest Rapids &amp; Wanapum Dams (Grant County PUO)</td>
<td>Large hydro</td>
<td>WA</td>
<td>3887</td>
<td>15,277</td>
<td>15,277</td>
<td>15,277</td>
<td>15,277</td>
<td>15,277</td>
<td>-</td>
<td>0.0252</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

### PROCUREMENTS FROM ASSET-CONTROLLING SUPPLIERS

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>Mean MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOLANA ENERGY ALLIANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

### GHG USES OTHER THAN RETAIL SALES

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>Mean MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
</tr>
</thead>
<tbody>
<tr>
<td>SOLANA ENERGY ALLIANCE</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |

| SOLANA ENERGY ALLIANCE                                |                      |     |     |     |     |        | -                 | -               | -                | -                              | -                               | -                         |
## 2020 POWER SOURCE DISCLOSURE ANNUAL REPORT
### SCHEDULE 2: RETIRED UNBUNDLED RECS
#### For the Year Ending December 31, 2020
#### SOLANA ENERGY ALLIANCE
#### SEA CHOICE

INSTRUCTIONS: Enter information about retired unbundled RECs associated with this electricity portfolio. Insert additional rows as needed. All fields in white should be filled out. Fields in grey auto-populate as needed and should not be filled out.

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>RPS ID</th>
<th>Total Retired (in MWh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Energy Facility - TEF - GEN 4</td>
<td>Biogas</td>
<td>CA</td>
<td>60633A</td>
<td>7</td>
</tr>
<tr>
<td>Total Energy Facility - TEF - GEN 1</td>
<td>Biogas</td>
<td>CA</td>
<td>60633A</td>
<td>43</td>
</tr>
<tr>
<td>Limon Wind - Limon Wind I</td>
<td>Wind</td>
<td>CO</td>
<td>62246A</td>
<td>8,000</td>
</tr>
</tbody>
</table>

Total Retired Unbundled RECs: 8,050
Instructions: No data input is needed on this schedule. Retail suppliers should use these auto-populated calculations to fill out their Power Content Labels.

<table>
<thead>
<tr>
<th>Renewable Procurements</th>
<th>Adjusted Net Procured (MWh)</th>
<th>Percent of Total Retail Sales</th>
</tr>
</thead>
<tbody>
<tr>
<td>Renewable Procurements</td>
<td>19,499</td>
<td>35.0%</td>
</tr>
<tr>
<td>Biomass &amp; Biowaste</td>
<td>13,787</td>
<td>24.8%</td>
</tr>
<tr>
<td>Geothermal</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Eligible Hydroelectric</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Solar</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Wind</td>
<td>5,712</td>
<td>10.3%</td>
</tr>
<tr>
<td>Coal</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Large Hydroelectric</td>
<td>33,000</td>
<td>59.3%</td>
</tr>
<tr>
<td>Natural gas</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Nuclear</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Unspecified Power</td>
<td>3,151</td>
<td>5.7%</td>
</tr>
<tr>
<td>Total</td>
<td>55,650</td>
<td>100.0%</td>
</tr>
</tbody>
</table>

Total Retail Sales (MWh) 55,650

GHG Emissions Intensity (converted to lbs CO₂e/MWh) 156

Percentage of Retail Sales Covered by Retired Unbundled RECs 14.5%
## INDEX OF GENERATOR-SPECIFIC GHG EMISSIONS FACTORS

Instructions: This tab is for informational purposes only; it will not be used by reporting entities, since the emissions factors below auto-populate in the relevant fields on Schedules 1 & 3.

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>EIA ID or Proxy ID</th>
<th>GHG Emissions Factor (in MT CO₂e/MWh)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bonneville Power Administration (Asset-Controlling Supplier)</td>
<td>BPA</td>
<td>0.0117</td>
</tr>
<tr>
<td>Powerex (Asset-Controlling Supplier)</td>
<td>Powerex</td>
<td>0.0342</td>
</tr>
<tr>
<td>Tacoma Power (Asset-Controlling Supplier)</td>
<td>Tacoma Power</td>
<td>0.0168</td>
</tr>
<tr>
<td>Unspecified Power</td>
<td>Unspecified Power</td>
<td>0.4280</td>
</tr>
<tr>
<td>AES Alamitos, LLC</td>
<td>315</td>
<td>0.6983</td>
</tr>
<tr>
<td>AES Huntington Beach, LLC</td>
<td>335</td>
<td>0.5893</td>
</tr>
<tr>
<td>AES Redondo Beach LLC</td>
<td>356</td>
<td>0.8753</td>
</tr>
<tr>
<td>Air Products Wilmington Hydrogen Plant</td>
<td>55557</td>
<td>4.2229</td>
</tr>
<tr>
<td>Algonquin Power Sanger, LLC</td>
<td>57564</td>
<td>0.3870</td>
</tr>
<tr>
<td>LAR ARCO Watson Cogeneration</td>
<td>50216</td>
<td>0.8254</td>
</tr>
<tr>
<td>LAR Tesoro Equilon Los Angeles Refining</td>
<td>50530</td>
<td>0.8254</td>
</tr>
<tr>
<td>Calciners</td>
<td>10601</td>
<td>1.1029</td>
</tr>
<tr>
<td>Badger Creek Limited</td>
<td>10650</td>
<td>0.4983</td>
</tr>
<tr>
<td>Bear Mountain Limited</td>
<td>10649</td>
<td>0.4941</td>
</tr>
<tr>
<td>Biola University</td>
<td>54296</td>
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</tr>
<tr>
<td>Blythe Energy</td>
<td>55295</td>
<td>0.4281</td>
</tr>
<tr>
<td>Braun Medical Inc</td>
<td>50200</td>
<td>0.4900</td>
</tr>
<tr>
<td>California State University, Channel Islands</td>
<td>50851</td>
<td>2.1993</td>
</tr>
<tr>
<td>CP Kelco San Diego</td>
<td>52147</td>
<td>0.4965</td>
</tr>
<tr>
<td>Name</td>
<td>Code</td>
<td>Value</td>
</tr>
<tr>
<td>-------------------------------------------</td>
<td>------</td>
<td>--------</td>
</tr>
<tr>
<td>CalEnergy Operating Corporation - J J Elmore - Geothermal</td>
<td>10634</td>
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</tr>
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<td>10631</td>
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</tr>
<tr>
<td>CalEnergy Operating Corporation - Region 1 - Geothermal</td>
<td>10878</td>
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<tr>
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<tr>
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<td>55984</td>
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<td>0.0572</td>
</tr>
<tr>
<td>Midway Peaking, LLC</td>
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</tr>
<tr>
<td>CalPeak Power - Enterprise</td>
<td>55513</td>
<td>0.5810</td>
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<tr>
<td>California Institute of Technology (CalTech)</td>
<td>10262</td>
<td>0.2605</td>
</tr>
<tr>
<td>California Power Holdings, LLC-Chowchilla Facility, 95360</td>
<td>56185</td>
<td>0.5521</td>
</tr>
<tr>
<td>California Power Holdings, LLC-Red Bluff Facility, 96080</td>
<td>56184</td>
<td>0.5548</td>
</tr>
<tr>
<td>California State University, San Diego</td>
<td>50061</td>
<td>0.4499</td>
</tr>
<tr>
<td>Company Name</td>
<td>Code</td>
<td>Capacity</td>
</tr>
<tr>
<td>------------------------------------------------------------------------------</td>
<td>------</td>
<td>----------</td>
</tr>
<tr>
<td>California State University, San Jose</td>
<td>10548</td>
<td>0.5309</td>
</tr>
<tr>
<td>Calpine - CCFC Sutter Energy, LLC</td>
<td>55112</td>
<td>0.3887</td>
</tr>
<tr>
<td>Calpine - Delta Energy Center, LLC</td>
<td>55333</td>
<td>0.3882</td>
</tr>
<tr>
<td>Calpine - Gilroy Cogen, L.P., Gilroy Cogen, Peaker</td>
<td>55810</td>
<td>0.5283</td>
</tr>
<tr>
<td>ProEnergy - Greenleaf Energy Unit 2, LLC</td>
<td>10349</td>
<td>0.4094</td>
</tr>
<tr>
<td>Calpine - King City Cogen, LLC, King City Cogen, Peaker</td>
<td>10294</td>
<td>0.4423</td>
</tr>
<tr>
<td>Calpine - Los Esteros Critical Energy Facility, LLC</td>
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# ASSET CONTROLLING SUPPLIER RESOURCE MIX CALCULATOR

Instructions: Enter total net specified procurement of ACS system resources into cell A8, A23, or A38. In Column E, the calculator will determine quantities of resource-specific net procurement for entry on Schedule 1.

## Powerex

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## Bonneville Power Administration

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I, (print name) Gregory Wade, (title) City Manager/Exec. Dir., declare under penalty of perjury, that the statements contained in this report including Schedules 1, 2, and 3 are true and correct and that I, as an authorized agent of (print name of company) Solana Energy Alliance, have authority to submit this report on the company's behalf. I further declare that the megawatt-hours claimed as specified purchases as shown in these Schedules were, to the best of my knowledge, sold once and only once to retail customers.

Name: Gregory Wade
Representing (Retail Supplier): Solana Energy Alliance
Signature: ___________________________
Dated: 4/11/2021
Executed at: City of Solana Beach
## GENERAL INSTRUCTIONS

**RETAIL SUPPLIER NAME**  
City of Solana Beach d/b/a Solana Energy Alliance

**ELECTRICITY PORTFOLIO NAME**  
SEA Green

### CONTACT INFORMATION

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<td>CITY, STATE, ZIP</td>
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<tr>
<td>PHONE</td>
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<tr>
<td>EMAIL</td>
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**WEBSITE URL FOR PCL POSTING**  
https://solanaenergyalliance.org/your-options/sea-green/

Submit the Annual Report and signed Attestation in PDF format with the Excel version of the Annual Report to PSDprogram@energy.ca.gov. Remember to complete the Retail Supplier Name, Electricity Portfolio Name, and contact information above, and submit separate reports and attestations for each additional portfolio if multiple were offered in the previous year.

**NOTE:** Information submitted in this report is not automatically held confidential. If your company wishes the information submitted to be considered confidential an authorized representative must submit an application for confidential designation (CEC-13), which can be found on the California Energy Commission's website at https://www.energy.ca.gov/about/divisions-and-offices/chief-counsels-office.

If you have questions, contact Power Source Disclosure (PSD) staff at PSDprogram@energy.ca.gov or (916) 639-0573.
INTRODUCTION
Retail suppliers are required to submit separate Annual Reports for each electricity portfolio offered to California retail consumers in the previous calendar year. Enter the Retail Supplier Name and Electricity Portfolio Name at the top of Schedule 1, Schedule 2, Schedule 3, and the Attestation.

A complete Annual Report includes the following tabs:

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<td>Schedule 2 - Retired Unbundled Renewable Energy Credits (RECs)</td>
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INSTRUCTIONS

Schedule 1: Procurements and Retail Sales
Retail suppliers of electricity must complete this schedule by entering information about all power procurements and generation that served the identified electricity portfolio covered in this filing in the prior year. The schedule is divided into sections: directly delivered renewables, firmed-and-shaped imports, specified non-renewables, and procurements from ACSs. Insert additional rows as needed to report all procurements or generation serving the subject product. Provide the annual retail sales for the subject product in the appropriate space. At the bottom of Schedule 1, provide the retail suppliers' other electricity end-uses that are not retail sales, such as transmission and distribution losses. Retail suppliers shall submit a purchase agreement or ownership arrangement documentation substantiating that any eligible firmed-and-shaped product for which it is claiming an exclusion was executed prior to January 1, 2019. Any retail supplier that offered multiple electricity portfolios in the prior year must submit separate Annual Reports for each portfolio offered.

Specified Purchases: A Specified Purchase refers to a transaction in which electricity is traceable to specific generating facilities by any auditable contract trail or equivalent, such as a tradable commodity system, that provides commercial verification that the electricity claimed has been sold once and only once to retail consumers. Do not enter data in the grey fields. For specified purchases, include enter following information for each line item:

- **Facility Name**: Provide the name used to identify the facility.
- **Fuel Type**: Provide the resource type (solar, natural gas, etc.) that this facility uses to generate electricity.
- **Location**: Provide the state or province in which the facility is located.
- **Identification Numbers**: Provide all applicable identification numbers from the Western Renewable Energy Generation Information System (WREGIS), the Energy Information Agency (EIA), and the California Renewables Portfolio Standard (RPS).
- **Gross Megawatt Hours Procured**: Provide the quantity of electricity procured in MWh from the generating facility.
- **Megawatt Hours Resold**: Provide the quantity of electricity resold at wholesale.

Specified Power: Unspecified Power refers to electricity that is not traceable to specific generation sources by any auditable contract trail or equivalent, or to power purchases from a transaction that expressly transferred energy only and not the RECs associated from a facility. Do not enter procurements of unspecified power. The schedule will calculate unspecified power procurements automatically.

Schedule 2: Retired Unbundled RECs
Complete this schedule by entering information about unbundled REC retirements in the previous calendar year.

Schedule 3: Annual Power Content Label Data
This schedule is provided as an automated worksheet that uses the information from Schedule 1 to calculate the power content and GHG emissions intensity for each electricity portfolio. The percentages calculated on this worksheet should be used for your Power Content Label.

**ACS Resource Mix Calculator**
Retail suppliers may report specified purchases from ACS system power if the ACS provided its fuel mix of its specified system mix to the Energy Commission. Use the calculator to determine the resource-specific procurement quantities, and transfer them to Schedule 1.

**GHG Emissions Factors**
This tab will be displayed for informational purposes only; it will not be used by reporting entities, since the emissions factors below auto-populate in the relevant fields on Schedules 1 & 3.

**Attestation**
This template provides the attestation that must be submitted with the Annual Report to the Energy Commission, stating that the information contained in the applicable schedules is correct and that the power has been sold once and only once to retail consumers. This attestation must be included in the package that is transmitted to the Energy Commission. Please provide the complete Annual Report in Excel format and the complete Annual Report with signed attestation in PDF format as well.
# DIRECTLY DELIVERED RENEWABLES

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>WREGIS ID</th>
<th>RPS ID</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
<th>N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clearwater Paper Corporation - #3 turbine generator</td>
<td>Biomass &amp; biowaste</td>
<td></td>
<td>W128</td>
<td>60533A</td>
<td></td>
<td>50637</td>
<td>463</td>
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<td>463</td>
<td>463</td>
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<td>12</td>
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# FIRMED-AND-SHAPED IMPORTS

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<th>Fuel Type</th>
<th>State or Province</th>
<th>WREGIS ID</th>
<th>RPS ID</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
<th>N/A</th>
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<tbody>
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# SPECIFIED NON-RENEWABLE PROCUREMENTS

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<th>Fuel Type</th>
<th>State or Province</th>
<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>EIA ID</th>
<th>Gross MWh Procured</th>
<th>MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
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<td></td>
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# PROCUREMENTS FROM ASSET-CONTROLLING SUPPLIERS

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<th>N/A</th>
<th>N/A</th>
<th>N/A</th>
<th>EIA ID</th>
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<th>MWh Resold</th>
<th>Net MWh Procured</th>
<th>Adjusted Net MWh Procured</th>
<th>GHG Emissions Factor (in MT CO2e/MWh)</th>
<th>GHG Emissions (in MT CO2e)</th>
<th>N/A</th>
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</thead>
<tbody>
<tr>
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<td></td>
<td></td>
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<td></td>
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# END USES OTHER THAN RETAIL SALES

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<tr>
<th>MWh</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
</tr>
</tbody>
</table>

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End Uses other than Retail Sales (MWh)

- Gross Specified Natural Gas
- Gross Specified Coal & Other Fossil Fuels
- Gross Specified Nuclear, Large Hydro, Renewables, and ACS Power
- GHG Emissions (excludes grandfathered emissions)
- GHG Emissions Intensity (in MT CO2e/MWh)
### 2020 POWER SOURCE DISCLOSURE ANNUAL REPORT

**SCHEDULE 2: RETIRED UNBUNDLED RECS**

*For the Year Ending December 31, 2020*

**SOLANA ENERGY ALLIANCE**

**SEA GREEN**

**INSTRUCTIONS:** Enter information about retired unbundled RECs associated with this electricity portfolio. Insert additional rows as needed. All fields in white should be filled out. Fields in grey auto-populate as needed and should not be filled out.

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>Fuel Type</th>
<th>State or Province</th>
<th>RPS ID</th>
<th>Total Retired (in MWh)</th>
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</table>

**Total Retired Unbundled RECs**

-
### Renewable Procurements

<table>
<thead>
<tr>
<th>Power Source</th>
<th>Adjusted Net Procured (MWh)</th>
<th>Percent of Total Retail Sales</th>
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<tbody>
<tr>
<td>Biomass &amp; Biowaste</td>
<td>463</td>
<td>100.0%</td>
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<tr>
<td>Geothermal</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Eligible Hydroelectric</td>
<td>-</td>
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<tr>
<td>Solar</td>
<td>-</td>
<td>0.0%</td>
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<tr>
<td>Wind</td>
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<tr>
<td>Coal</td>
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<td>0.0%</td>
</tr>
<tr>
<td>Large Hydroelectric</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Natural gas</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Nuclear</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Other</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td>Unspecified Power</td>
<td>-</td>
<td>0.0%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>463</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Total Retail Sales (MWh)</th>
<th>463</th>
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</thead>
<tbody>
<tr>
<td>GHG Emissions Intensity (converted to lbs CO(_2)e/MWh)</td>
<td>56</td>
</tr>
<tr>
<td>Percentage of Retail Sales Covered by Retired Unbundled RECs</td>
<td>0.0%</td>
</tr>
</tbody>
</table>
## INDEX OF GENERATOR-SPECIFIC GHG EMISSIONS FACTORS

Instructions: This tab is for informational purposes only; it will not be used by reporting entities, since the emissions factors below auto-populate in the relevant fields on Schedules 1 & 3.

<table>
<thead>
<tr>
<th>Facility Name</th>
<th>EIA ID or Proxy ID</th>
<th>GHG Emissions Factor (in MT CO₂e/MWh)</th>
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<tbody>
<tr>
<td>Bonneville Power Administration (Asset-Controlling Supplier)</td>
<td>BPA</td>
<td>0.0117</td>
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<td>Powerex (Asset-Controlling Supplier)</td>
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<td>Tacoma Power (Asset-Controlling Supplier)</td>
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<td>Unspecified Power</td>
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<td>AES Alamitos, LLC</td>
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<td>AES Huntington Beach, LLC</td>
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<tr>
<td>AES Redondo Beach LLC</td>
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<td>0.8753</td>
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<td>Algonquin Power Sanger, LLC</td>
<td>57564</td>
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<td>LAR ARCO Watson Cogeneration</td>
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<tr>
<td>LAR Tesoro Equilon Los Angeles Refining</td>
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<td>Calciner</td>
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<td>CalEnergy Operating Corporation - J M Leathers - Geothermal</td>
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<td>KES Kingsburg L.P.--Kingsburg Cogeneration Facility</td>
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<td>Loma Linda University</td>
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<td>New Hope Diary Digester</td>
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<td>Van Steyn</td>
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<td>Bridge River 1 Hydroelectric</td>
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<td>Bridge River 2 Hydroelectric</td>
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<td>Revelstoke Hydroelectric Generation</td>
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<td>Seven Mile Hydroelectric Generation</td>
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<td>FIT Solar</td>
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### ASSET CONTROLLING SUPPLIER RESOURCE MIX CALCULATOR

Instructions: Enter total net specified procurement of ACS system resources into cell A8, A23, or A38. In Column E, the calculator will determine quantities of resource-specific net procurement for entry on Schedule 1.

#### Powerex

<table>
<thead>
<tr>
<th>Resource Type</th>
<th>Resource Mix Factors</th>
<th>Resource-Specific Procurements from ACS</th>
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<tbody>
<tr>
<td>Biomass &amp; biowaste</td>
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<tr>
<td>Geothermal</td>
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<tr>
<td>Eligible hydroelectric</td>
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<tr>
<td>Solar</td>
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<tr>
<td>Wind</td>
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<td>Coal</td>
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<td>Nuclear</td>
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#### Bonneville Power Administration

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<td>Biomass &amp; biowaste</td>
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<td>Geothermal</td>
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<tr>
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#### Tacoma Power

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</thead>
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<tr>
<td>Geothermal</td>
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<td>Eligible hydroelectric</td>
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<tr>
<td>Solar</td>
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<td>Energy Source</td>
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<tr>
<td>Wind</td>
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<tr>
<td>Unspecified Power</td>
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</table>
I, (print name) Gregory Wade, (title) CITY MANAGER/EXEC. DIR., declare under penalty of perjury, that the statements contained in this report including Schedules 1, 2, and 3 are true and correct and that I, as an authorized agent of (print name of company) Solana Energy Alliance, have authority to submit this report on the company's behalf. I further declare that the megawatt-hours claimed as specified purchases as shown in these Schedules were, to the best of my knowledge, sold once and only once to retail customers.

Name: Gregory Wade
Representing (Retail Supplier): Solana Energy Alliance
Signature: [Signature]
Dated: 6/1/2021
Executed at: City of Solana Beach
BACKGROUND:

In 2004, the Government Accounting Standards Board (GASB) issued Statement No. 45, Accounting and Financial Reporting by Employers for Postemployment Benefits Other than Pensions (GASB 45). Other postemployment benefits (OPEB) include all benefits, other than pension benefits, that are earned by employees as a result of active service, but not paid out as benefits until the beneficiaries have retired. The City of Solana Beach’s (City) retiree healthcare plan falls under the scope of this definition and the City has been required to implement GASB 45 since its fiscal year ending June 30, 2009. GASB 45 required that the City prepare a new OPEB valuation at least every three years.

In June 2015, the GASB approved revised OPEB accounting rules under Statement No. 74, Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans (GASB 74), and Statement No. 75, Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions (GASB 75).

The City has contracted with Bartel Associates, LLC (Bartel) to provide the City with retirement and other benefit consulting and actuarial services since 2009, including the valuations as required by GASB 45. An actuarial valuation is required with a valuation date of June 30, 2021 that will be the basis for the City’s OPEB financial reporting information under GASB 74 and GASB 75.

This item is before the City Council to consider adoption of Resolution 2021-112 (Attachment 1) approving a Professional Services Agreement (PSA) with Bartel Associates for actuarial valuation services (Attachment 2).
DISCUSSION:

GASB 74 applies to OPEB plans that are administrated through trusts as single-employer plans. The City’s OPEB plan is a single-employer plan and an irrevocable trust was set up through Public Agency Retirement Services (PARS) in FY 2015/16 to address the unfunded liability of the plan. When the trust was established, it was made part of an investment pool through PARS because of the size of the City’s investment. PARS, at the request of City Staff, subsequently established a separate investment account for the City in the summer of 2016 to help Staff better track its investments in the PARS Trust Fund.

If the City had stayed in the PARS investment pool, it would not have needed a new valuation to implement GASB 74, but since the City is now administering its own separate trust, a new actuarial valuation as of June 30, 2021 is needed for its FY 2020/21 financial statements.

GASB 75 replaces the requirements for GASB 45 and GASB 57 and addresses accounting and financial reporting for OPEB that is provided to the employees of state and local governmental employers. Actuarial valuations are required to be performed at least every two years, with more frequent valuations encouraged. If an actuarial valuation is not performed as of the measurement date, the total OPEB liability is required to be based on updated procedures to roll forward amounts from an earlier actuarial valuation (performed as of a date no more than 30 months and 1 day prior to the employer’s most recent fiscal year-end).

To meet its OPEB reporting requirements, Staff is recommending that the City Council authorize the City Manager to execute a PSA with Bartel to provide actuarial services for FY 2020/21 through FY 2022/23.

CEQA COMPLIANCE STATEMENT:

This item is not a project under CEQA.

FISCAL IMPACT:

The proposed PSA with Bartel would be for a three-year term and provide OPEB valuation services for FY 2020/21 through FY 2022/23 with an estimated fee totaling $24,000 and a not to exceed fee totaling $28,000 as shown in the table on the table below:

<table>
<thead>
<tr>
<th>Project</th>
<th>Valuation Date</th>
<th>Fiscal Year-End</th>
<th>Estimated Fee</th>
<th>Not-to-Exceed Fee</th>
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<tr>
<td>Actuarial Valuation and Staff Meeting</td>
<td>6/30/21</td>
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<tr>
<td>GASBS 75 Accounting Information Report</td>
<td>6/30/22</td>
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<td>GASBS 75 Accounting Information Report</td>
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<tr>
<td>Total (Two Fiscal Years)</td>
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<td></td>
<td>$24,000</td>
<td>$28,000</td>
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Funds are budgeted to cover the fees for the GASB 74/75 valuation in the FY 2021/22 and FY 2022/23 Adopted Budgets. The GASB 74/75 valuation fees for FY 2022/23 will be budgeted in the FY 2023/24 budget.

**WORK PLAN:**

N/A

**OPTIONS:**

- Approve Staff recommendation.
- Deny Staff recommendation.

**DEPARTMENT RECOMMENDATION:**

Staff recommends that the City Council adopt Resolution 2021-112 authorizing the City Manager to approve a Professional Services Agreement with Bartel Associates for a three-year term to provide actuarial valuation services for FY 2020/21 through FY 2022/23 for an amount not to exceed $28,000.

**CITY MANAGER’S RECOMMENDATION:**

Approve Department Recommendation

________________________
Gregory Wade, City Manager

Attachments:

1. Resolution 2021-112
2. PSA with Bartel Associates
RESOLUTION 2021-112

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLANA BEACH, CALIFORNIA, AUTHORIZING THE CITY MANAGER TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH BARTEL ASSOCIATES, LLC

WHEREAS, the City of Solana Beach provides its employees Other Post-Employment Benefits (OPEB) through its retiree health program; and

WHEREAS, the Government Accounting Standards Board (GASB) requires the City to report certain financial information about its retiree health program in its financial statements in accordance with GASB 74 and GASB 75; and

WHEREAS, the City wishes to engage the services of Bartel Associates, LLC to provide the actuarial valuations needed to meet its financial reporting requirements.

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 a Professional Services Agreement with Bartel Associates, LLC for a three-year term from July 1, 2021 to June 30, 2024 to provide actuarial valuation services for Fiscal Years 2020/21 through Fiscal Year 2022/23 for an amount not to exceed $28,000.

PASSED AND ADOPTED this 22nd day of September 2021, 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
City of Solana Beach

PROFESSIONAL SERVICES AGREEMENT

FOR 2021 OPEB Actuarial Valuation & Data - GASBs 74 & 75

This Professional Services Agreement ("AGREEMENT") is made and entered into this 1st day of July, 2021 by and between the CITY OF SOLANA BEACH, a municipal corporation ("CITY"), and, BARTEL ASSOCIATES, a LLC, ("CONSULTANT") (collectively "PARTIES").

WHEREAS, the CITY desires to employ a CONSULTANT to furnish 2021 OPEB Actuarial Valuation & Data ("PROFESSIONAL SERVICES") for GASBs 74 & 75 Actuarially Determined Contribution Valuation ("PROJECT"); and

WHEREAS, the CITY has determined that CONSULTANT is qualified by experience and ability to perform the services desired by CITY, and CONSULTANT is willing to perform such services; and

WHEREAS, CONSULTANT will conduct all the work as described and detailed in this AGREEMENT to be provided to the CITY.

NOW, THEREFORE, the PARTIES hereto mutually covenant and agree with each other as follows:

1. PROFESSIONAL SERVICES.

1.1. Scope of Services. The CONSULTANT shall perform the PROFESSIONAL SERVICES as set forth in the written Scope of Services, attached as Exhibit "A" Scope of Services and Fee, at the direction of the CITY. CITY shall provide CONSULTANT access to appropriate staff and resources for the coordination and completion of the projects under this AGREEMENT. For all work to be performed on site in the City, the CITY and CONSULTANT agree that the Scope of Services begins when the CONSULTANT arrives on site and terminates when the CONSULTANT leaves the site. Travel time to and from project site shall not be considered time on the job or compensated by the CITY.

1.2. Project Coordinator. The Finance Director is hereby designated as the Project Coordinator for CITY and will monitor the progress and execution of this AGREEMENT. CONSULTANT shall assign a single Project Director to provide supervision and have overall responsibility for the progress and execution of this AGREEMENT for CONSULTANT. Joseph D'Onofrio, FSA is hereby designated as the Project Director for CONSULTANT.

1.3. City Modification of Scope of Services. CITY may order changes to the Scope of Services within the general scope of this AGREEMENT consisting of additions, deletions, or other revisions. If such changes cause a change in the CONSULTANT's cost of, or time required for, completion of the Scope of Services, an equitable adjustment to CONSULTANT's compensation and/or contract time shall be made, subject to the CITY'S approval. All such changes shall be authorized in writing, executed by CONSULTANT and CITY.

2. DURATION OF AGREEMENT.

2.1. Term. The term of this AGREEMENT shall be for a period of July 1, 2021 to June 30, 2024 beginning from the date of execution of the AGREEMENT. Time is of the essence in the performance of work under this AGREEMENT, unless otherwise specified.

ATTACHMENT 2
2.2. Extensions. If marked, the CITY shall have the option to extend the AGREEMENT for additional periods or parts thereof for an amount not to exceed $ per AGREEMENT year. Extensions shall be in the sole discretion of the City Manager and shall be based upon CONSULTANT’s satisfactory past performance, CITY needs, and appropriation of funds by the City Council. The CITY shall give written notice to CONSULTANT prior to exercising the option.

2.3. Delay. Any delay occasioned by causes beyond the control of CONSULTANT may merit an extension of time for the completion of the Scope of Services. When such delay occurs, CONSULTANT shall immediately notify the Project Coordinator in writing of the cause and the extent of the delay, whereupon the Project Coordinator shall ascertain the facts and the extent of the delay and grant an extension of time for the completion of the PROFESSIONAL SERVICES when justified by the circumstances.

2.4. City’s Right to Terminate for Default. Should CONSULTANT be in default of any covenant or condition hereof, CITY may immediately terminate this AGREEMENT for cause if CONSULTANT fails to cure the default within ten (10) calendar days of receiving written notice of the default.

2.5. City’s Right to Terminate without Cause. Without limiting its rights in the event of CONSULTANT’s default, CITY may terminate this AGREEMENT, without cause, by giving written notice to CONSULTANT. Such termination shall be effective upon receipt of the written notice. CONSULTANT shall be compensated for all effort and material expended on behalf of CITY under the terms of this AGREEMENT, up to the effective date of termination. All personal property remaining in CITY facilities or on CITY property thirty (30) days after the expiration or termination of this AGREEMENT shall be, at CITY’s election, considered the property of CITY.

3. COMPENSATION.

3.1. Total Amount. The total cost for all work described in the Scope of Services and Fee (Exhibit “A”) shall not exceed Twenty-Eight Thousand dollars ($28,000) without prior written authorization from CITY. CONSULTANT shall bill the CITY for work provided and shall present a written request for such payment monthly.

3.2. Additional Services. CITY may, as the need arises or in the event of an emergency, request additional services of CONSULTANT. Should such additional services be required, CITY and CONSULTANT shall agree to the cost prior to commencement of these services.

3.3. Costs. Any costs billed to the CITY shall be approved in writing in advance and in accordance with any terms negotiated and incorporated herein as part of Exhibit “A” Scope of Services and Fee.

4. INDEPENDENT CONTRACTOR.

4.1. CONSULTANT is, for all purposes arising out of this AGREEMENT, an independent contractor. The CONSULTANT has and shall retain the right to exercise full control and supervision of all persons assisting the CONSULTANT in the performance of said services hereunder, the CITY only being concerned with the finished results of the work being performed. Neither CONSULTANT nor CONSULTANT’s employees shall in any event be entitled to any benefits to which CITY employees are entitled, including, but not limited to, overtime, retirement benefits, workers’ compensation benefits, injury leave or other leave benefits. CONSULTANT is solely responsible for all such matters, as well as compliance with social security and income tax withholding and all other regulations and laws governing such matters.
4.2 **PERS Eligibility Indemnification.** In the event that CONSULTANT’s employee providing services under this AGREEMENT claims or is determined by a court of competent jurisdiction or the California Public Employees Retirement System (PERS) to be eligible for enrollment in PERS of the CITY, CONSULTANT shall indemnify, defend, and hold harmless CITY for the payment of any employer and employee contributions for PERS benefits on behalf of the employee as well as for payment of any penalties and interest on such contributions which would otherwise be the responsibility of the CITY. Notwithstanding any other agency, state or federal policy, rule, regulation, law or ordinance to the contrary, CONSULTANT’s employees providing service under this AGREEMENT shall not qualify for or become entitled to, and hereby agree to waive any claims to, any compensation and benefit including but not limited to eligibility to enroll in PERS as an employee of CITY and entitlement to any contributions to be paid by CITY for employer contributions and/or employee contributions for PERS benefits.

4.3 **Indemnification for Employee Payments.** CONSULTANT agrees to defend and indemnify the CITY for any obligation, claim, suit or demand for tax, retirement contribution including any contribution to the PERS, social security, salary or wages, overtime payment, or workers’ compensation payment which the CITY may be required to make for work done under this AGREEMENT.

4.4 The provisions of this section 4 are continuing obligations that shall survive expiration or termination of this AGREEMENT.

5. **STANDARD OF PERFORMANCE.**

While performing the PROFESSIONAL SERVICES, CONSULTANT shall exercise the reasonable professional care and skill customarily exercised by reputable members of CONSULTANT’s profession practicing in the metropolitan Southern California Area, and will use reasonable diligence and best judgment while exercising its professional skill and expertise.

6. **WARRANTY OF CONSULTANT’S LICENSE.**

CONSULTANT warrants that CONSULTANT is properly licensed with the applicable government agency(ies) for any PROFESSIONAL SERVICES that require a license. If the CONSULTANT lacks such license, this AGREEMENT is void and of no effect.

7. **AUDIT OF RECORDS.**

7.1. At any time during normal business hours and as often as may be deemed necessary the CONSULTANT shall make available to a representative of CITY for examination all of its records with respect to all matters covered by this AGREEMENT and shall permit CITY to audit, examine and/or reproduce such records. CONSULTANT shall retain such financial and program service records for at least four (4) years after termination or final payment under this AGREEMENT.

7.2. The CONSULTANT shall include the CITY's right under this section in any and all of their subcontracts, and shall ensure that these sections are binding upon all subcontractors.

8. **CONFIDENTIALITY AND SECURITY.**

8.1. **Confidential Work Product.** All professional services performed by CONSULTANT, including but not limited to all drafts, data, correspondence, proposals, reports, research and estimates compiled or composed by CONSULTANT, pursuant to this AGREEMENT, are for the sole use of the CITY, its agents and employees. Neither the documents nor their contents shall be released to any third party without the prior written consent of the CITY. This provision does not apply to information that (a) was publicly known, or otherwise known to CONSULTANT, at the time that it was disclosed to CONSULTANT by the CITY, (b) subsequently becomes publicly known through no act or omission of CONSULTANT or (c) otherwise becomes known to CONSULTANT other than through disclosure by the CITY. Except for any subcontractors that may be allowed upon prior agreement, neither the documents nor their contents shall be released
to any third party without the prior written consent of the CITY. The sole purpose of this section is to prevent disclosure of CITY’s confidential and proprietary information by CONSULTANT or subcontractors.

8.2. Confidentiality. Both parties recognize that their respective employees and agents, in the course of performance of this AGREEMENT, may be exposed to confidential information and that disclosure of such information could violate the rights of private individuals and entities, including the parties and third parties. Confidential information is nonpublic information that a reasonable person would believe to be confidential and includes, without limitation, personal identifying information (e.g., social security numbers) and trade secrets, each as defined by applicable state law, and all other information protected by applicable law (“Confidential Information”). The party receiving Confidential Information (“Receiving Party”) of the other (“Disclosing Party”) shall not, and shall cause its employees and agents who are authorized to receive Confidential Information, not to, use Confidential Information for any purpose except as necessary to implement, perform or enforce this AGREEMENT or comply with its legal obligations. Receiving Party will use the same reasonable efforts to protect the Confidential Information of Disclosing Party as it uses to protect its own proprietary information and data. The Receiving Party will not disclose or release Confidential Information to any third person without the prior written consent of the Disclosing Party, except for where required by law or for authorized employees or agents of the Receiving Party. Prior to disclosing the Confidential Information to its authorized employees or agents, Receiving Party shall inform them of the confidential nature of the Confidential Information and require them to abide by the terms of this AGREEMENT. Receiving Party will promptly notify Disclosing Party if Receiving Party discovers any improper use or disclosure of Confidential Information and will promptly commence all reasonable efforts to investigate and correct the causes of such improper use or disclosure. If Receiving Party believes the Confidential Information must be disclosed under applicable law, Receiving Party may do so provided that, to the extent permitted by law, the other party is given a reasonable notice and opportunity to contest such disclosure or obtain a protective order. Confidential Information does not include information that: (i) is or becomes known to the public without fault or breach of the Receiving Party; (ii) the Disclosing Party regularly discloses to third parties without restriction on disclosure; or (iii) the Receiving Party obtains from a third party without restriction on disclosure and without breach of a non-disclosure obligation. Confidential Information does not include any information that is required to be provided to the public pursuant to the laws of the United States and/or California such as the California Public Records Act, due to the nature of CITY being a local governmental agency. The non-disclosure and non-use obligations of this AGREEMENT will remain in full force with respect to each item of Confidential Information for a period of ten (10) years after the Receiving Party’s receipt of that item.


8.3.1. Implementation. CONSULTANT shall implement commercially reasonable administrative, technical and physical safeguards designed to: (i) ensure the security and confidentiality of data and information provided by the CITY or used in connection with providing services under this AGREEMENT, including data or information about third parties (“CITY’S Data”); (ii) protect against any anticipated threats or hazards to the security or integrity of CITY’S Data; and (iii) protect against unauthorized access to or use of CITY’S Data. CONSULTANT shall review and test such safeguards on no less than an annual basis.

8.3.2. Network. If CONSULTANT makes CITY’S Data accessible through the Internet or other networked environment, CONSULTANT shall be solely responsible for all aspects of Internet use, and shall maintain, in connection with the operation or use of CITY’S Data, adequate technical and procedural access controls and system security requirements and devices, necessary for data privacy, confidentiality, integrity, authorization, authentication and non-repudiation and virus detection and eradication.
8.3.3. **Personal Data.** If CONSULTANT processes or otherwise has access to any personal data or personal information on CITY’s behalf when performing CONSULTANT's services and obligations under this AGREEMENT, then: (i) CITY shall be the data controller (where “data controller” means an entity which alone or jointly with others determines purposes for which and the manner in which any personal data are, or are to be, processed) and CONSULTANT shall be a data processor (where “data processor” means an entity which processes the data only on behalf of the data controller and not for any purposes of its own); (ii) CITY shall ensure that it has obtained all necessary consents and it is entitled to transfer the relevant personal data or personal information to CONSULTANT so that CONSULTANT may lawfully use, process and transfer the personal data and personal information in accordance with this AGREEMENT on CITY’s behalf in order for CONSULTANT to provide the services and perform its other obligations under this AGREEMENT; (iii) CONSULTANT shall process the personal data and personal information only in accordance with any lawful and reasonable instructions given by CITY from time to time and in accordance with the terms of this AGREEMENT; and (iv) each party shall take appropriate technical and organizational measures against unauthorized or unlawful processing of the personal data and personal information or its accidental loss, destruction or damage so that, having regard to the state of technological development and the cost of implementing any measures, the measures taken ensure a level of security appropriate to the harm that might result from such unauthorized or unlawful processing or accidental loss, destruction or damage in relation to the personal data and personal information and the nature of the personal data and personal information being protected. If necessary, the parties will cooperate to document these measures taken.

8.3.4. **Information Security.** CONSULTANT represents and warrants that its collection, access, use, storage, disposal and disclosure of Confidential Information accessed and/or collected from CITY does and will comply with all applicable federal and state privacy and data protection laws. In the event of any security breach, CONSULTANT shall: (a) Provide CITY with the name and contact information for an employee who shall serve as CITY’s primary security contact and shall be available to assist CITY twenty-four (24) hours per day, seven (7) days per week as a contact in resolving obligations associated with a security breach; and (b) Notify CITY of a security breach as soon as practicable, but no later than twenty-four (24) hours after CONSULTANT becomes aware of it. Immediately following CONSULTANT’s notification to CITY of a security breach, the parties shall coordinate with each other to investigate the security breach. CONSULTANT agrees to fully cooperate with CITY in CITY’s handling of the matter. CONSULTANT shall use best efforts to immediately remedy any security breach and prevent any further security breach at CONSULTANT’s own expense in accordance with applicable privacy rights, laws, regulations and standards. CONSULTANT agrees to provide, at its expense, up to one year of credit monitoring services to third parties impacted by any data breach involving the loss of personally identifiable information.
8.4. **Indemnity.** CONSULTANT shall defend (with counsel acceptable to CITY), indemnify and hold CITY harmless from and against all claims, actions, proceedings, losses, costs (including attorney fees and other charges), liabilities, damages, judgments, settlements, and court awarded attorney’s fees resulting from, arising out of or related to a security or data breach unless the breach is proven to be caused solely by CITY. The terms of this section shall survive termination of this AGREEMENT. For purposes of this provision, “security breach” means any act or omission that compromises either the security, confidentiality, or integrity of Confidential Information or the physical, technical, administrative or organizational safeguards put in place by CONSULTANT or any authorized persons that relate to the protection of the security, confidentiality or integrity of Confidential Information or a breach or alleged breach of this AGREEMENT relating to such privacy practices or privacy obligations imposed by any applicable law.

8.5. **Notice and Remedy of Breaches.** Each party shall promptly give notice to the other of any actual or suspected breach by it of any of the provisions of Section 8 of this AGREEMENT, whether or not intentional, and the breaching party shall, at its expense, take all steps reasonably requested by the other party to prevent or remedy the breach.

8.6. **Enforcement.** Each party acknowledges that any breach of any of the provisions of Section 8 of this AGREEMENT may result in irreparable injury to the other for which money damages would not adequately compensate. If there is a breach, then the injured party shall be entitled, in addition to all other rights and remedies which it may have, to have a decree of specific performance or an injunction issued by any competent court, requiring the breach to be cured or enjoining all persons involved from continuing the breach.

9. **CONFLICTS OF INTEREST.**

9.1. CONSULTANT shall at all times comply with all federal, state and local conflict of interest laws, regulations, and policies applicable to public contracts and procurement practices, including but not limited to California Government Code Section 81000 et seq. (Political Reform Act) and Section 1090 et seq. CONSULTANT shall immediately disqualify itself and shall not use its official position to influence in any way any matter coming before the CITY in which the CONSULTANT has a financial interest as defined in Government Code Section 87103. CONSULTANT represents that it has no knowledge of any financial interests which would require it to disqualify itself from any matter on which it might perform services for the CITY.

9.2. If, in performing the PROFESSIONAL SERVICES set forth in this AGREEMENT, the CONSULTANT makes, or participates in, a “governmental decision” as described in Title 2, Section 18700.3(a) of the California Code of Regulations, or performs the same or substantially all the same duties for the CITY that would otherwise be performed by a CITY employee holding a position specified in the department's conflict of interest code, the CONSULTANT shall be subject to a conflict of interest code requiring the completion of one or more statements of economic interests disclosing the CONSULTANT’s relevant financial interests.

9.3. □ If checked, the CONSULTANT shall comply with all of the reporting requirements of the Political Reform Act. Specifically, the CONSULTANT shall file a Fair Political Practices Commission Form 700 (Assuming Office Statement) within thirty (30) calendar days of the CITY’s determination that the CONSULTANT is subject to a conflict of interest code. The CONSULTANT shall also file a Form 700 (Annual Statement) on or before April 1 of each year of the AGREEMENT, disclosing any financial interests held during the previous calendar year for which the CONSULTANT was subject to a conflict of interest code.

9.4. CITY represents that pursuant to California Government Code Section 1090 et seq., none of its elected officials, officers, or employees has an interest in this AGREEMENT.
10. DISPOSITION AND OWNERSHIP OF DOCUMENTS.

10.1. All documents, data, studies, drawings, maps, models, photographs and reports prepared by CONSULTANT under this AGREEMENT, whether paper or electronic, shall become the property of CITY for use with respect to this PROJECT, and shall be turned over to the CITY upon completion of the PROJECT or any phase thereof, as contemplated by this AGREEMENT.

10.2. Contemporaneously with the transfer of documents, the CONSULTANT hereby assigns to the CITY and CONSULTANT thereby expressly waives and disclaims, any copyright in, and the right to reproduce, all written material, drawings, plans, specifications or other work prepared under this AGREEMENT, except upon the CITY’s prior authorization regarding reproduction, which authorization shall not be unreasonably withheld. The CONSULTANT shall, upon request of the CITY, execute any further document(s) necessary to further effectuate this waiver and disclaimer.

11. INSURANCE

11.1. CONSULTANT shall procure and maintain for the duration of the AGREEMENT insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the CONSULTANT, their agents, representatives, employees or subcontractors. Insurance shall be placed with insurers with a current A.M. Best’s rating of no less than “A” and “VII” unless otherwise approved in writing by the CITY’s Risk Manager.

11.2. CONSULTANT’s liabilities, including but not limited to CONSULTANT’s indemnity obligations, under this AGREEMENT, shall not be deemed limited in any way to the insurance coverage required herein. All policies of insurance required hereunder must provide that the CITY is entitled to thirty (30) days prior written notice of cancellation or non-renewal of the policy or policies, or ten (10) days prior written notice for cancellation due to non-payment of premium. Maintenance of specified insurance coverage is a material element of this AGREEMENT.

11.3. Types and Amounts Required. CONSULTANT shall maintain, at minimum, the following insurance coverage for the duration of this AGREEMENT:

11.3.1. **Commercial General Liability (CGL).** If checked the CONSULTANT shall maintain CGL Insurance written on an ISO Occurrence form or equivalent providing coverage at least as broad as CG 00 01 which shall cover liability arising from any and all personal injury or property damage, including ongoing and completed operations, in the amount no less than $2,000,000.00 per occurrence and subject to an annual aggregate of $4,000,000.00. If limits apply separately to this project (CG 25 03 or 25 04) the general aggregate limit shall not apply. There shall be no endorsement or modification of the CGL limiting the scope of coverage for either insured vs. insured claims or contractual liability. All defense costs shall be outside the limits of the policy. If the CONSULTANT or subcontractor maintains higher limits than the limits shown above, the CITY shall be entitled to coverage for the higher limits maintained by the CONSULTANT and their subcontractor. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY. Any excess or umbrella policies being used to meet the required limits of insurance will be evaluated separately and must meet the same qualifications as the CONSULTANT's primary policy.

11.3.2. **Commercial Automobile Liability.** If checked the CONSULTANT shall maintain Commercial Automobile Liability Insurance for all of the CONSULTANT's automobiles including owned, hired and non-owned automobiles, automobile insurance written on an ISO form CA 00 01 12 90 or a later version of this form or an equivalent form providing coverage at least as broad for bodily injury and property damage for a combined single limit no less than $1,000,000.00 per occurrence. Insurance certificate shall reflect coverage for any automobile (any auto).
11.3.3. **Workers' Compensation.** If checked the CONSULTANT shall maintain Worker’s Compensation insurance for all of the CONSULTANT’s employees who are subject to this AGREEMENT and to the extent required by applicable state or federal law, a Workers’ Compensation policy providing at minimum $1,000,000.00 employers' liability coverage. The CONSULTANT shall provide an endorsement that the insurer waives the right of subrogation against the CITY and its respective elected officials, officers, employees, agents and representatives.

11.3.4. **Professional Liability.** If checked the CONSULTANT shall also maintain Professional Liability (errors and omissions) coverage with a limit no less than $1,000,000 per claim and $2,000,000 annual aggregate. The CONSULTANT shall ensure both that (1) the policy retroactive date is on or before the date of commencement of the Scope of Services; and (2) the policy will be maintained in force for a period of three years after substantial completion of the Scope of Services or termination of this AGREEMENT whichever occurs last. The CONSULTANT agrees that for the time period defined above, there will be no changes or endorsements to the policy that increase the CITY's exposure to loss. All defense costs shall be outside the limits of the policy. If CONSULTANT maintains higher limits than the limits shown above, the CITY shall be entitled to coverage for the higher limits maintained by the CONSULTANT. Any available proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.

11.3.5. **Cyber Liability.** If checked the CONSULTANT shall also maintain Cyber Liability coverage on an occurrence basis with a limit of $2,000,000 per occurrence or claim and $2,000,000 annual aggregate. Coverage shall be sufficiently broad to respond to the duties and obligations as are undertaken by CONSULTANT in this AGREEMENT and shall include claims involving infringement of intellectual property, infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion and network security. The policy shall provide coverage for breach response costs as well as regulatory fines and penalties as well as credit monitoring expenses with limits sufficient to respond to such obligations. All defense costs shall be outside the limits of the policy.

11.4. **Self-Insured Retentions.** Any self-insured retentions are the responsibility of the CONSULTANT and must be declared to and approved by the CITY. At the option of the CITY, either (1) the insurer shall reduce or eliminate such self-insured retentions as respects the CITY, its officers, officials, employees and volunteers, or (2) the CONSULTANT shall provide a financial guarantee satisfactory to the CITY guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

11.5. **Additional Required Provisions.** The commercial general liability, including any excess or umbrella policies being used to meet the required limits of insurance, and automobile liability policies shall contain, or be endorsed to contain, the following provisions:

11.5.1. The CITY, its officers, officials, employees, and representatives shall be named as additional insureds with respect to liability arising out of work or operations performed by or on behalf of the CONSULTANT including materials, parts, or equipment furnished in connection with such work or operations. The CITY’s additional insured status must be reflected on additional insured endorsement form (20 10 1185 or 20 10 1001 and 20 37 1001) which shall be submitted to the CITY.
11.5.2. The policies are primary and non-contributory to any insurance that may be carried by the CITY, as reflected in an endorsement at least as broad as CG 20 01 04 13 which shall be submitted to the CITY. Any insurance or self-insurance maintained by the CITY, its officers, officials, employees, or representatives shall be excess of the CONSULTANT's insurance and shall not contribute with it.

11.6. Verification of Coverage. CONSULTANT shall furnish the CITY with original certificates and amendatory endorsements effecting coverage required by this Section 11, as well as a complete, certified copy of any general liability policy being used to meet the required limits of insurance, which shall include the declaration pages, a schedule of forms listing all policy endorsements, and all policy forms. The endorsements should be on forms approved by the CITY or on other than the CITY’s forms provided those endorsements conform to CITY requirements. All certificates and endorsements are to be received and approved by the CITY before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor’s obligation to provide them. The CITY reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

11.7. Special Risks or Circumstances. CITY reserves the right to modify these requirements, including limits, based on the nature of risk, prior experience, insurer, coverage, or other special circumstances.

12. INDEMNIFICATION.

CONSULTANT agrees to indemnify, defend (with counsel acceptable to CITY), and hold harmless the CITY, and its officers, officials, agents and employees from any and all claims, demands, costs or liabilities that arise out of, or pertain to, or relate to the negligence, recklessness, or willful misconduct of CONSULTANT, its employees, agents, and subcontractors in the performance of or failure to perform services or obligations under this AGREEMENT. CONSULTANT’s duty to indemnify under this section shall not include liability for damages for death or bodily injury to persons, injury to property, or other loss, damage or expense arising from the sole negligence or willful misconduct by the CITY or its elected officials, officers, agents, and employees. CONSULTANT's indemnification obligations shall not be limited by the insurance provisions of this AGREEMENT. The PARTIES expressly agree that any payment, attorney's fees, costs or expense CITY incurs or makes to or on behalf of an injured employee under the CITY's self-administered workers' compensation is included as a loss, expense, or cost for the purposes of this section, and that this section will survive the expiration or early termination of this AGREEMENT.

13. SUBCONTRACTORS.

13.1. The CONSULTANT’s hiring or retaining of third parties (i.e. subcontractors) to perform services related to the PROJECT is subject to prior written approval by the CITY.

13.2. All contracts entered into between the CONSULTANT and its subcontractor shall also provide that each subcontractor shall obtain insurance policies which shall be kept in full force and effect during any and all work on this PROJECT and for the duration of this AGREEMENT. The CONSULTANT shall require the subcontractor to obtain, all policies described in Section 11 in the amounts required by the CITY, which shall not be greater than the amounts required of the CONSULTANT.

13.3. In any dispute between the CONSULTANT and its subcontractor, the CITY shall not be made a party to any judicial or administrative proceeding to resolve the dispute. The CONSULTANT agrees to defend and indemnify the CITY as described in Section 12 of this AGREEMENT should the CITY be made a party to any judicial or administrative proceeding to resolve any such dispute.
14. NON-DISCRIMINATION.
CONSULTANT shall not discriminate against any employee or applicant for employment because of sex, race, color, age, religion, ancestry, national origin, military or veteran status, disability, medical condition, genetic information, gender expression, marital status, or sexual orientation. CONSULTANT shall take affirmative action to insure that applicants are employed and that employees are treated during employment without regard to their sex, race, color, age, religion, ancestry, national origin, military or veteran status, disability, medical condition, genetic information, gender expression, marital status, or sexual orientation and shall make reasonable accommodation to qualified individuals with disabilities or medical conditions. Such action shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment, or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. CONSULTANT agrees to post in conspicuous places available to employees and applicants for employment any notices provided by CITY setting forth the provisions of this non-discrimination clause.

15. NOTICES.
All communications to either party by the other party shall be delivered to the persons listed below. Any such written communications by mail shall be conclusively deemed to have been received by the addressee five (5) calendar days after the deposit thereof in the United States mail, postage prepaid and properly addressed as noted below.

Ryan Smith,  
Finance Director, City Treasurer  
City of Solana Beach  
635 S. Highway 101  
Solana Beach, CA 92075

Joeseph R. D'Onofrio, FSA  
Bartel Associates, LLC  
411 Borel Ave, Suite 620  
San Mateo, CA 94402

16. ASSIGNABILITY.
This AGREEMENT and any portion thereof shall not be assigned or transferred, nor shall any of the CONSULTANT’s duties be delegated or sub-contracted, without the express written consent of the CITY.

17. RESPONSIBILITY FOR EQUIPMENT.
CITY shall not be responsible nor held liable for any damage to persons or property consequent upon the use, misuse, or failure of any equipment used by CONSULTANT or any of CONSULTANT’s employees or subcontractors, even if such equipment has been furnished, rented, or loaned to CONSULTANT by CITY. The acceptance or use of any such equipment by CONSULTANT, CONSULTANT’s employees, or subcontractors shall be construed to mean that CONSULTANT accepts full responsibility for and agrees to exonerate, defend, indemnify and hold harmless CITY from and against any and all claims for any damage whatsoever resulting from the use, misuse, or failure of such equipment.

18. CALIFORNIA LAW; VENUE.
This AGREEMENT shall be construed and interpreted according to the laws of the State of California. Any action brought to enforce or interpret any portion of this AGREEMENT shall be brought in the county of San Diego, California. CONSULTANT hereby waives any and all rights it might have pursuant to California Code of Civil Procedure Section 394.

19. COMPLIANCE WITH LAWS.
The Consultant shall comply with all laws, ordinances, regulations, and policies of the federal, state, and local governments applicable to this AGREEMENT whether now in force or subsequently enacted. This includes maintaining a City of Solana Beach Business Certificate.
20. ENTIRE AGREEMENT.
This AGREEMENT sets forth the entire understanding of the PARTIES with respect to the subject matters herein. There are no other understandings, terms or other agreements expressed or implied, oral or written, except as set forth herein. No change, alteration, or modification of the terms or conditions of this AGREEMENT, and no verbal understanding of the PARTIES, their officers, agents, or employees shall be valid unless agreed to in writing by both PARTIES.

21. NO WAIVER.
No failure of either the City or the Consultant to insist upon the strict performance by the other of any covenant, term or condition of this AGREEMENT, nor any failure to exercise any right or remedy consequent upon a breach of any covenant, term, or condition of this AGREEMENT shall constitute a waiver of any such breach of such covenant, term or condition.

22. SEVERABILITY.
The unenforceability, invalidity, or illegality of any provision of this AGREEMENT shall not render any other provision unenforceable, invalid, or illegal.

23. DRAFTING AMBIGUITIES.
The PARTIES agree that they are aware that they have the right to be advised by counsel with respect to the negotiations, terms and conditions of this AGREEMENT, and the decision of whether or not to seek advice of counsel with respect to this AGREEMENT is a decision which is the sole responsibility of each Party. This AGREEMENT shall not be construed in favor of or against either Party by reason of the extent to which each Party participated in the drafting of the AGREEMENT.

24. CONFLICTS BETWEEN TERMS.
If an apparent conflict or inconsistency exists between the main body of this AGREEMENT and the Exhibits, the main body of this AGREEMENT shall control. If a conflict exists between an applicable federal, state, or local law, rule, regulation, order, or code and this AGREEMENT, the law, rule, regulation, order, or code shall control. Varying degrees of stringency among the main body of this AGREEMENT, the Exhibits, and laws, rules, regulations, orders, or codes are not deemed conflicts, and the most stringent requirement shall control. Each Party shall notify the other immediately upon the identification of any apparent conflict or inconsistency concerning this AGREEMENT.

25. EXHIBITS INCORPORATED.
All Exhibits referenced in this AGREEMENT are incorporated into the AGREEMENT by this reference.
26. SIGNING AUTHORITY.

26.1. The representative for each Party signing on behalf of a corporation, partnership, joint venture, association, or governmental entity hereby declares that authority has been obtained to sign on behalf of the corporation, partnership, joint venture, association, or entity and agrees to hold the other Party or PARTIES hereto harmless if it is later determined that such authority does not exist.

26.2. If checked, a proper notary acknowledgement of execution by CONSULTANT must be attached.

IN WITNESS WHEREOF, the PARTIES hereto have executed this AGREEMENT the day and year first hereinabove written.

CITY OF SOLANA BEACH, a municipal corporation

By:

______________________________
City Manager, Gregory Wade

Bartel Associates, a Limited Liability Company

By:

______________________________
Signature

______________________________
Print Name and Title

ATTEST:

______________________________
City Clerk, Angela Ivey

APPROVED AS TO CONTENT:

______________________________
Ryan Smith, Finance Director/City Treasurer

APPROVED AS TO FORM:

______________________________
City Attorney, Johanna N. Canlas
March 25, 2021

Ryan Smith
Finance Director/City Treasurer
City of Solana Beach
635 S. Highway 101
Solana Beach, CA 92075

Re: June 30, 2021 OPEB Actuarial Valuation Proposal and Data Request

Dear Mr. Smith:

This letter summarizes the project scope and our estimated fees for a June 30, 2021 actuarial valuation and related GASBS 75 accounting information for the City’s retiree healthcare plan.

**Actuarial Valuation**

The last actuarial valuation as of June 30, 2019 provided the funded status as of June 30, 2019, Actuarially Determined Contributions (ADCs) for the fiscal years ending June 30, 2021 and June 30, 2022, was used as the basis for the City’s GASBS 74/75 financial reporting for the fiscal year ending June 30, 2020, and will be used for the City’s GASBS 74/75 financial reporting for the fiscal year ending June 30, 2021.

The next actuarial valuation as of June 30, 2021 will provide the funded status as of June 30, 2021, ADCs for the fiscal years ending June 30, 2023 and June 30, 2024, and will be used as the basis for the City’s GASBS 74/75 financial reporting for the fiscal years ending June 30, 2022 and June 30, 2023.

**Accounting Standards**

GASBS 74 provides accounting standards for governmental OPEB plans. GASBS 75 provides OPEB accounting standards for governmental employers. Actuarial valuations must be done at least biennially. GASBS 75 information can be determined as of a measurement date no earlier than the prior fiscal year-end and can be based on a roll-forward of the results of an actuarial valuation performed no earlier than 30 months prior to the fiscal year-end. (The City currently uses the financial statement date as the GASBS 75 measurement date.) Note, however, that actuarial valuations may need to be done more frequently when there are significant changes to participants, plan provisions, healthcare plan providers, actuarial assumptions, funding policy, investment policy, or OPEB trust.

**Estimated Fees**

Our estimated fees for the June 30, 2021 actuarial valuation, including one meeting with staff to review the valuation results, and GASBS 74/75 accounting information reports for the fiscal years ending June 30, 2022 and June 30, 2023 are:1

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1 Our estimated not-to-exceed fee of $6,000 for the GASBS 74/75 accounting information report for the fiscal year ending June 30, 2021 was included in our April 16, 2019 proposal letter for the June 30, 2019 actuarial valuation. This should be included with the above estimated fees if not budgeted with the June 30, 2019 valuation.
Actuarial valuations are done biennially while GASBS 75 accounting information reports are prepared for each fiscal year. The June 30, 2021 actuarial valuation would typically be done during 2021/22 and the GASBS 75 reports soon after the fiscal year-ends.

Fees might be higher if the project scope changes or the City needs additional work. You should consider increasing your budget with us if you expect to need other projects or conversations with us during the next several years. Charges for additional work will be billed separately based on the time needed and our billing rates.

Please note below what will be included in the actuarial valuation and GASBS 74/75 accounting information reports and what will require an additional fee. If the City needs a fixed fee in its agreement or purchase order with us, it should include our not-to-exceed fee. We will not bill more than this amount without prior discussion except as indicated in this proposal. We will invoice the City monthly based on time incurred, subject to the above maximum fees.

Please review the following questions before the City drafts an agreement or purchase order with our firm, if needed, and before you ask us to begin work:

- Have there been any changes to OPEB plan provisions since the last actuarial valuation as of June 30, 2019?
- Have there been any changes to the City’s healthcare plan providers since the last actuarial valuation as of June 30, 2019?
- Have there been any changes to the funding policy, investment policy, or OPEB trust since the last actuarial valuation as of June 30, 2019 or any such changes anticipated over the next few years?
- Will the City provide the census data, including all the fields requested, in one Excel file and with one record per participant as requested in the data requirements section of this letter?
- How should we invoice the City for additional work requested outside the scope of this proposal, for example, by including an additional discretionary budget in any agreement or purchase order?

We may need to revise our estimated fees based on your answers to the above questions since we have not included time to address them in our fee estimates as they were not known to us as of the date of this proposal letter.

Our fee estimates assume:
- We will bill the City at the following hourly rates:

<table>
<thead>
<tr>
<th>Position</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>President</td>
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<tr>
<td>Vice President</td>
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<td>Assistant Vice President</td>
<td>270</td>
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<tr>
<td>Associate Actuary</td>
<td>220</td>
</tr>
<tr>
<td>Senior Actuarial Analyst</td>
<td>200</td>
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<tr>
<td>Actuarial Analyst</td>
<td>160</td>
</tr>
</tbody>
</table>
The City has made no changes to its retiree healthcare plan provisions since the last actuarial valuation as of June 30, 2019. (Please review the benefit summary in our June 30, 2019 valuation report and let us know of any changes.)

Participant census data requested will be provided completely and accurately in an Excel workbook with one record per participant. (That one record should include all fields requested without providing backup information or any linked files.)

The City has followed and not changed its funding policy since the June 30, 2019 actuarial valuation. (Please review the funding policy as stated in the June 30, 2019 valuation report and let us know of any changes.)

OPEB obligations for the actuarial valuation will be presented in total and with breakdowns by cash subsidy and implicit subsidy and by Miscellaneous, Fire, and Marine Safety employees and retirees.

We will include a “gain/loss” analysis showing the reasons for changes in the Actuarial Accrued Liability and funded status since the last valuation.

We will include a 10-year projection of benefit payments, ADCs, Unfunded Actuarial Accrued Liability, and funded status.

We will have one meeting with City staff to review the valuation results.

We will provide GASBS 74/75 accounting information reports for the fiscal years ending June 30, 2022 and June 30, 2023 based on the June 30, 2021 actuarial valuation using the financial statement dates as the GASBS 75 measurement dates.

- Our GASBS 74/75 estimated fees assume there will be no changes in OPEB plan provisions, healthcare plan providers, funding policy, investment policy, or OPEB trust between the actuarial valuation date and the financial statement dates.
- GASBS 74/75 information will be presented for the plan as a whole with no breakdowns by benefit or by employee group.
- Our GASBS 74/75 information reports will include the actuarial information needed by the City and its auditor to assist in preparing the City’s financial statements. Our estimated fees do not include draft OPEB footnotes.
- Our GASBS 74/75 reports will not contain information about the number of covered employees on measurement dates that are not valuation dates or total covered employee compensation in all years if that information is not provided to us. Our estimated fees do not include an amount for reviewing census data files for fiscal years between valuation dates. If the City would like us to do so, our fees will be higher.

We will invoice the City monthly based on time incurred, subject to the above “not-to-exceed” fees.

Our estimated fees are based on our expected time for the projects, as defined above, and our hourly rates. We have assumed we will receive census data in the format requested as we cannot estimate in advance any additional time needed to merge or reconcile census data if it is not provided in the requested format.

Our estimated fees may be higher if:

- The City has changed its retiree healthcare plan design since the June 30, 2019 actuarial valuation.
- The City makes any healthcare provider, plan provision, funding policy, investment policy, or OPEB trust changes between the actuarial valuation date and the financial statement dates.
- We need to spend additional time providing GASBS 74/75 information if it was not properly presented in prior City’s and plan’s financial statements.
- The City requests assistance with its OPEB footnotes.
- The City requests additional meetings, such as a planning meeting, a committee meeting, a City Council presentation, or separate meetings to review the accounting results. Our fee for additional meetings will be based on our billing rates, the time needed for the meetings, any additional presentation material, and meeting preparation.
- The City makes changes that will affect the valuation results after the valuation is begun or requests additional work after the valuation is completed, including changing OPEB plan provisions, actuarial assumptions, healthcare plan options, funding policy, investment policy, OPEB trust, or any of the data provided for the valuation.
- Time for consultation and questions after delivering the actuarial valuation report or GASBS 74/75 accounting information reports, as applicable, will be billed as additional time, outside the budget for the projects addressed in this proposal, based on time spent and our hourly billing rates. The City should therefore set up an appropriate budget for any additional anticipated or potential consultation needed.

**Data Requirements - 2020/21 Fiscal Year GASBS 74/75 Accounting Information Report**

We will need the following information for the June 30, 2021 GASBS 74/75 accounting information report. The June 30, 2021 GASBS 75 accounting information report will be based on the prior June 30, 2019 valuation and use a June 30, 2021 measurement date. Please provide this information as soon as possible after June 30, 2021:

- Written summary of the City’s retiree healthcare plan and other OPEB provisions, including a description of the City’s contributions for active and retired employees, if they have changed since the June 30, 2019 actuarial valuation.
- The City’s 2020 financial statement if not available on the City’s website.
- The OPEB plan’s 2020 financial statement if separate from the City’s financial statement and if not available on the City’s website.
- City’s cash subsidy pay-as-you-go cost paid to CalPERS for retiree healthcare for 2020/21 and the amount, if any, reimbursed by the OPEB trust. This is the portion of the premium paid by the City to CalPERS for retirees for 2020/21. Please provide one number for the amount the City will report for 2020/21.
- City’s cash subsidy pay-as-you-go cost paid directly to retirees by the City or through a third party administrator for retiree healthcare for 2020/21 and the amount, if any, reimbursed by the OPEB trust. Please provide one number for the amount the City will report for 2020/21.
- PEMHCA administrative fees paid on behalf of retiree premiums for 2020/21, separately from the City’s cash subsidy pay-as-you-go retiree healthcare cost, and the amount, if any, reimbursed by the OPEB trust. This is shown on your monthly CalPERS PEMHCA invoices. Do not include PEMHCA administrative fees paid on behalf of active employee premiums. (For example, the City provided $711 for 2019/20, none of which was reimbursed by the OPEB trust.) Please provide one number for the amount the City will report for 2020.
- City’s OPEB trust contributions for 2020/21. Please provide one number for the amount the City will report for 2020/21 adjusted for contributions made to the OPEB trust for the fiscal year after the fiscal

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2 Our estimated fee for the GASBS 74/75 accounting information report for the fiscal year ending June 30, 2021 was included in our April 16, 2019 proposal letter for the June 30, 2019 actuarial valuation.
year-ends. (For example, the City provided $198,000 for 2019/20.) The amount provided should agree with the amounts shown on the OPEB trust statement for the 2020/21 fiscal year.

Plan asset information:
- PARS and US Bank 2020/21 annual trust statements, including a reconciliation of the market value of assets between June 30, 2020 and June 30, 2021, showing:
  - City trust contributions and dates made.
  - Cash subsidy benefit payments paid by the City and reimbursed by the OPEB trust to the City and dates paid.
  - Implicit subsidy benefit payments reimbursed by the OPEB trust to the City.
  - PEMHCA administrative fees reimbursed by the trust to the City and dates reimbursed.
  - Investment earnings.
  - Investment expenses.
  - Trust administrative expenses.
  Explain any differences between what is shown on the PARS trust statement compared to the US Bank trust statement.
- If there are accrued amounts for any of the above items for the fiscal year ending June 30, 2021 paid after the end of the fiscal year that are not shown on the annual trust statements the City wants us to reflect in the June 30, 2021 Fiduciary Net Position, the City should provide those amounts and a reconciliation of the accrued market value of assets from the beginning to the end of the fiscal year including all of the above items separately. The asset value as of the beginning of the fiscal year should be the same as the Fiduciary Net Position reported as of June 30, 2020 in the City’s and plan’s 2020 financial statement.
  - Asset allocation of June 30, 2021 in broad asset classes (equity, fixed income, cash, etc.).
  - Current investment policy, including target asset allocation, and asset class investment ranges.
  - Any anticipated changes to the current investment policy or OPEB trust.
  - Annual money-weighted rate of return for 2020/21. You can obtain this from PARS.

Number of covered employees as of the GASBS 75 June 30, 2021 measurement date for the June 30, 2021 fiscal year-end OPEB disclosure broken down by active employees, inactive employees receiving benefit payments (i.e., participating retirees), and inactive employees entitled to but not yet receiving benefit payments (i.e., retirees who waived coverage but can participate in the future). Since we only have this information as of the June 30, 2019 valuation date, you need to determine the number of covered employees as of the June 30, 2021 measurement date internally. (The June 30, 2021 GASBS 74/75 accounting information report had 65 active employees, 47 inactive employees receiving benefit payments, and 11 inactive employees entitled to but not yet receiving benefit payments as of the measurement date of June 30, 2020.)

Our estimated fee for the GASBS 74/75 report does not include time to review data files but only to insert the counts you provide in our report. You might find it helpful to request a June 30, 2021 CalPERS PEMHCA data extract from the myCalPERS portal to obtain the June 30, 2021 covered employee counts. We can include the June 30, 2021 number of covered employees in our GASBS 74/75 report if provided to us.

Total covered employee payroll for the 2020/21 fiscal year. GASBS 74/75 define covered employee payroll as “the payroll of employees that are provided with OPEB through the OPEB plan.” The City and its auditor should determine the proper covered employee payroll to report. For example, it might be Medicare taxable payroll for Medicare eligible employees eligible for OPEB during the fiscal year, including OPEB eligible employees who terminated during the year. We can include 2020/21 covered
employee payroll in our GASBS 75 report if provided to us. Please provide one number and not an individual employee listing. (For example, the City provided $7,506,736 for 2019/20.)

- Do not provide backup information when one number is requested unless the City would like us to review that material, in which case our fees will be higher.

Please provide all of the above information in one transmittal to us. Please make a copy of this GASBS 74/75 data request, check off each item provided, and include a copy of that checklist with your GASBS 74/75 data transmittal.

**Data Requirements - June 30, 2021 Actuarial Valuation**

The following additional data is needed for the June 30, 2021 actuarial valuation and can be provided after June 30, 2021 and after you provide the June 30, 2021 GASBS 74/75 requested information:

- Written summary of the City’s retiree healthcare plan and other OPEB provisions, including a description of the City’s contributions for active and retired employees, if they have changed since the June 30, 2019 actuarial valuation. (Please review the benefit summary in our June 30, 2019 valuation report and let us know of any changes, including any changes to the fixed dollar amounts.)

- Copies of the most recent MOUs for bargained employee groups, if any, and agreements for unrepresented groups if not available on the City’s website.

- Any anticipated changes to OPEB plan provisions.

- City’s active employee healthcare costs for 2020/21 and an estimate of the City’s active employee healthcare costs for 2021/22, if available.

- The City’s most current CalPERS PEMHCA resolutions for retiree healthcare benefits. (We have PEMHCA resolutions 87-54, 2000-74, 2006-161, and 2006-162.)

- The City’s CalPERS health premium invoices, including listings of the City’s contributions for each active employee and retiree, for June 2021 (dated May 2021) and August 2021 (dated July 2021) when available.

- Any anticipated changes to the current investment policy or OPEB trust.

- City contributions budgeted to be made to the OPEB trust for years after 2020/21, if any, that the City would like us to include in our 10-year projections and the expected City funding policy for later years. Otherwise, we will use the City’s last known funding policy (including anticipated changes provided by the City) and our valuation results for the 10-year projections.

- Active and retired participant data as of the June 30, 2021 valuation date in an Excel workbook format. (Note this is a “snapshot” date, so the census data file should not include any employee hires, terminations, or retirements after June 30, 2021.) Active and retired participant information can be provided on separate worksheets. Provide only one record for the employee, retiree, or survivor and include any requested spouse or dependent information on that single record. Do not provide separate records for spouses or dependents. (See the section below regarding obtaining a CalPERS PEMHCA data extract. We recommend you start with a CalPERS data extract when assembling the requested census data as it should make the census data collection process easier for you and you are likely to receive fewer questions from us after we review the data provided. CalPERS PEMHCA data extracts include retirees who waived coverage and therefore do not participate in the City’s healthcare plans, information which might not be readily available to the City.)

- Active Employee Data - name, birth date, hire date, gender, total CalPERS service with the City, total CalPERS service including CalPERS service at other agencies and reciprocal employment, healthcare plan and region, single/2-party/family coverage, CalPERS pension plan category (Miscellaneous, Fire, and Marine Safety), CalPERS pension plan tier (e.g., 2.5%@55, 2%@60, 2%@62, 2%@50, 3%@50, 2.7%@57, etc.), bargaining or employee group (including City Council...
members, if eligible), classification (full-time, part-time, temporary, seasonal, etc.), OPEB eligibility, and 2020/21 PERSable compensation.

- For any part-time, temporary, and seasonal employees, indicate if they are currently eligible for OPEB at retirement, and if not, indicate if they might likely be in a classification eligible for OPEB at retirement.
- Include active employees who waived healthcare coverage.

- **Retiree Data** - name, employee number (not Social Security number), birth date, hire date, gender, retirement type (service retirement, disability retirement, surviving spouse), retirement date, healthcare plan and region, single/2-party/family coverage, spouse's birth date (if available), CalPERS pension plan category (Miscellaneous, Fire, and Marine Safety), bargaining or employee group (including City Council members, if eligible), and portion of the monthly premium paid by the City for June 2021 (including amounts paid to CalPERS and amounts paid directly to the retiree by the City or third party administrators separately), and portion of the monthly premium paid by the retiree for June 2021. (The portion of the premium paid by the City and the portion paid by the retiree should equal the premium.) Include any retirees or surviving spouses of retirees who waived coverage.

For PEMHCA, retirees are employees who retired directly from the City and became CalPERS annuitants within 120 days of termination of employment. This includes retirees who waived healthcare coverage at retirement since they can later elect to be covered. It does not include CalPERS retirees who formerly worked for the City but did not retire directly under CalPERS from the City.

- **CalPERS PEMHCA Data Extract** - Please request and send us a June 30, 2021 CalPERS PEMHCA Data Extract from the myCalPERS portal. This data file will contain much of the above information. If you use the CalPERS PEMHCA data extract to provide the requested participation information above, add the following information to the data extract:
  - 2020/21 PERSable compensation to each active record.
  - CalPERS pension plan tier (e.g., 2.5%@55, 2%@60, 2%@62, 2%@50, 3%@50, 2.7%@57, etc.) to each active record.
  - Classification (full-time, part-time, temporary, seasonal, etc.) to each active record. For any part-time, temporary, and seasonal employees, indicate if they are currently eligible for OPEB, and if not, indicate if they might likely be in a classification eligible for OPEB at retirement.
  - Bargaining unit or employee group (including City Council members, if eligible) to each active and retiree record.
  - Any monthly employer contribution in excess of that reported by CalPERS for June 2021 to each retiree record, including amounts paid directly to the retiree by the City or third party administrators.
  - Monthly employer payment to any retiree record that shows the retiree waived PEMHCA coverage (“not enrolled”) if the City provides a payment to such retirees.
  - Include healthcare plan and coverage election information for recent hires before June 30, 2021 if their records show they waived PEMHCA coverage (“not enrolled”) if their elections were processed soon after June 30, 2021. (Otherwise, we would include such employees with employees who waived healthcare coverage in our June 30, 2021 valuation.)

Review the CalPERS OPEB Census Information Report available on the CalPERS’ website that describes the data elements and the limitations of the data provided. Note that CalPERS recommends you review the data extract since it is unaudited.
We do not audit the employee data provided but we can compare it to the employee data provided for the prior June 30, 2019 actuarial valuation if you provide the same employee numbers for both the June 30, 2019 and June 30, 2021 valuation data sets. This will allow us to reconcile the two data sets, identify issues, and ask questions that can result in better employee data for the June 30, 2021 actuarial valuation. If you provide different employee numbers, we cannot properly compare the two valuations’ data sets.

Please indicate additions or changes to the original data extract, for example, by color. Please send us both the original data extracts provided by CalPERS and the files with your changes. Please do not send us any employee census data other than that requested. Do not send us any worksheets for the sources of the information provided.

In order to maintain confidentiality, please do not provide Social Security numbers with any of the information provided.

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In order to maintain confidentiality, please do not provide Social Security numbers with any of the information provided.

We may need additional information depending on our review of the information provided and the City’s requested information.

Our estimated fees assume the City will merge and reconcile all census data files and provide one file with one complete record for each eligible employee and retiree in an Excel workbook. If the City needs our help to merge and reconcile data, our fees will be higher. If the City needs to make changes to the census data file provided following our review, our fees will be higher to reflect any additional required changes.

We may need additional information depending on our review of the information provided and the City’s requested information.

Please indicate additions or changes to the original data extract, for example, by color. Please send us both the original data extracts provided by CalPERS and the files with your changes. Please do not send us any employee census data other than that requested. Do not send us any worksheets for the sources of the information provided.

We look forward to continuing working with you and the City. Please call me at 650-377-1610 with any questions.

Sincerely,

Joseph R. D’Onofrio, FSA
Assistant Vice President

[Signature]

We can usually provide the GASBS 74/75 accounting information reports within two weeks after we have received all GASBS 74/75 requested information. Normally, we will need 6 to 8 weeks to complete the actuarial valuation after we receive all the requested information and the City replies to any questions we receive. We can usually complete the June 30, 2021 actuarial valuation proposal letter with any questions.

We look forward to continuing working with you and the City. Please call me at 650-377-1610 with any questions.

Sincerely,

Joseph R. D’Onofrio, FSA
Assistant Vice President

[Signature]
TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: September 22, 2021
ORIGINATING DEPT: City Manager’s Department

BACKGROUND:
State law establishes a process that allows local adoption of energy standards that are more stringent than the statewide standards permitted by Title 24 of the California Code of Regulations (CCR), which is commonly referred to as “the Building Code.” These local amendments to energy standards are called “Reach Codes” because they are reaching beyond the minimum requirements with the goal of decreasing greenhouse gas (GHG) emissions.

On June 23, 2021, the City Council (Council) directed Staff to bring forward potential Reach Code recommendations that would apply to new construction and major remodels. Council also directed that the Reach Code recommendations should be specific to the electrification of air heating systems, water heating systems and clothing dryers; the requirement to install photovoltaic systems on new commercial construction; and the addition of Electric Vehicle (EV) infrastructure during new construction.

On August 25, 2021, Council discussed Reach Code recommendations brought forth by Staff in coordination with two representatives of the Building Decarbonization Coalition. Based on the Council discussion, the recommendations have been refined into a draft Ordinance (Attachment 1) for Council consideration. In addition to the measures discussed at the August meeting, Staff recommends that Council consider an additional Reach Code requirement to include pre-wiring a structure for future battery storage.

CITY COUNCIL ACTION:
________________________________________________________________________
________________________________________________________________________

AGENDA ITEM # B.1.
This recommendation stems from a new plan recently presented by the Department of Energy at the Federal level to decarbonize the grid, including the greater use of batteries to store solar energy.

The Ordinance establishes definitions for both residential and commercial remodel projects that are extensive enough to be classified as “new construction.” Any remodeling project classified as “new construction” would be subject to the applicable Reach Code requirements if they are adopted.

This item is before the City Council to consider introducing Ordinance 518 amending Title 15 of the Solana Beach Municipal Code (SBMC) to adopt amendments to the 2019 California Building Code and California Green Building Code to implement Solar Energy, Building Decarbonization and Electric Vehicle Infrastructure requirements.

**DISCUSSION:**

The State set ambitious renewable energy targets for new construction to achieve zero-net-energy (ZNE). One of the State’s policy mechanisms is to include energy efficiency and renewable energy requirements in the Energy Code, which is part of the State Building Code and must be adopted and enforced by local agencies every three years.

While the requirements of the 2019 version of the Energy Code (effective on January 1, 2020) move in the direction of ZNE performance, there are opportunities to achieve greater energy savings and accelerate decarbonization by improving energy efficiency and renewable standards. Such opportunities can be incorporated into the Building Code following the Reach Code adoption process.

Higher energy standards are critical to decarbonization. High-efficiency equipment and design will lower energy requirements and reduce demand for fossil fuels and on-site renewables. Likewise, all-electric buildings are one of the key strategies to decarbonizing the State’s building stock. The State’s electric system is rapidly becoming cleaner, driven by escalating renewable portfolio standards and cleaner product offerings by the utilities and community choice aggregators (CCAs). And while it is theoretically possible to power buildings with renewable natural gas, there currently is no plan for large-scale conversion to renewable natural gas.

**Energy Code Amendments – Chapter 15.22 of SBMC**

The proposed Ordinance for Council consideration includes Reach Code provisions that would amend the energy requirements in the City’s local Building Code as follows:

- All newly constructed commercial properties must install a 5kW or greater photovoltaic (PV) system.
- In new residential and commercial construction, all space conditioning, water heating and clothes dryer systems will be electric only.
Photovoltaics on Commercial Construction

The current Building Code already requires PV systems on new low-rise residential buildings including single-family homes, low-rise multifamily buildings (defined as three stories or less) and detached Accessory Dwelling Units (ADUs). The purpose of the nonresidential solar PV provision in the proposed Ordinance is to increase the amount of locally generated renewable energy by addressing construction in the commercial sector as well. This is accomplished through the inclusion of cost-effective solar PV systems in new construction and would apply to all new nonresidential, high-rise multifamily residential, and hotel/motel buildings.

- **Cost implications:** Solar photovoltaic systems on new commercial construction are cost effective across modeled non-residential scenarios including retail buildings, office buildings and hotel buildings. Scale of solar requirements depends on electrification requirements. The more systems that are electrified, the more cost-effective solar becomes.

- **Greenhouse gas impacts:** The amount of GHG savings varies by the size of the characteristics of the building and the size of the solar system.

**Electric only space conditioning, water heating and clothes dryer systems**

Advances in electric heat pumps and other electrical equipment are yielding much higher overall efficiencies as compared to their natural gas counterparts. Electric heat pumps, unlike traditional electric resistance heaters, do not generate heat, but concentrate and transfer it for end uses such as space conditioning and water heating. This process uses less primary energy and emits much less carbon, particularly when it is powered by renewable energy.

All-electric buildings are often cheaper to build due to the elimination of installing expensive gas plumbing to the building. The California Codes and Standards website includes reports that suggest if one invests the savings from the gas infrastructure in additional PV capacity to offset more of the electricity load, in many cases the building is cost-effective for the owner and society from day one, meaning the building is both less expensive to build and cheaper to operate. But by allowing for the use of gas cooking appliances in the proposed Ordinance before Council, the choice whether to incur extra costs to install gas lines for cooking purposes only or not will shift to the builder and/or property owner.

- **Cost implications:** Based on studies conducted by the statewide Codes and Standards Team, electrifying the above listed building systems and appliances is cost-effective. The largest cost savings opportunity identified in the study was that of avoided gas infrastructure. Cost savings would be less if gas infrastructure is still installed to accommodate cooking and grills.

- **Greenhouse gas impacts:** According to the 2018 RMI report, The Economics of Electrifying Buildings, 87% of building end use emissions come from space
and water heating. Please note: this number does not account for the methane leakage from gas infrastructure.

Green Building Code Amendments – Chapter 15.23 of the SBMC

If a City creates a local amendment to the State Green Building Code, this action does not require California Energy Commission (CEC) approval. The proposed Ordinance for Council consideration includes Reach Code provisions that would amend the Green Building Code, therefore, they do not require CEC approval. These provisions are as follows:

- All new residential and non-residential construction must install sufficient electrical capacity for future electrification of all non-electric appliances.
- All new residential and non-residential construction must install EV infrastructure in accordance with the provisions outlined below.
- All new residential and non-residential construction must be pre-wired for battery storage that would accommodate backup loads for a minimum of 5 kWh. As noted above and as further discussed below, this is an additional requirement currently recommended for Council consideration.

Pre-wired battery storage

Many forms of renewable energy are not dispatchable, that is, they cannot be ramped up to match demand on a real-time basis. However, energy storage and load shifting technologies, combined with dynamic electricity pricing structures are helping overcome these limitations. Batteries, smart buildings and financial incentives enable alignment of the consumer demand and supply from intermittent renewable sources such as solar and wind.

As a new recommendation for Council’s consideration, the proposed Ordinance would not require the installation of batteries but would require electrical capacity and wiring to be installed so that owners can add battery storage at any time without having to incur significant conversion costs at the time of installation.

- **Cost implications**: This measure does have a relatively small upfront cost implication and potentially significant future retrofit cost avoidance. No energy savings comes directly from this measure so there are no operational cost impacts.

- **Greenhouse gas impacts**: There are no direct greenhouse gas emission reductions associated with this measure.

Electric ready buildings

The all-electric readiness requirements are designed to enable buildings initially equipped with natural gas appliances to be replaced with electric appliances at a later
time without having to make electrical capacity upgrades or make other changes to the building. The all-electric readiness requirements are based on findings that all-electric buildings cause fewer GHG emissions. There are no cost-effectiveness findings for these provisions since, by themselves, they do not reduce energy. Including these is prudent as they are relatively inexpensive at the time of initial construction while enabling buildings to avoid much higher conversion costs in the future. All-electric readiness requirements are expected to be part of the adopted 2022 Building Code.

- **Cost implications:** This measure does have a relatively small upfront cost implication and potentially significant future retrofit cost avoidance. No energy savings comes directly from this measure so there are no operational cost impacts.
- **Greenhouse gas impacts:** There are no direct greenhouse gas emission reductions associated with this measure.

### EV Infrastructure requirements

The intent of this provision is in line with the City’s Climate Action Plan (CAP) Measure T-1: Increase EV and alternative fuel vehicles (AFV’s) vehicle miles traveled (VMT) to 30 percent of total VMT. Increasing EV infrastructure in the City directly supports this measure.

There are three levels of EV infrastructure requirements referred to in the Building Code:

1. **EV-Capable:** Install electrical panel capacity with a dedicated branch circuit and a continuous raceway/conduit from the panel to the future EV parking spot.
2. **EVSE-Ready:** Install electrical panel capacity, raceway/conduit and wiring to terminate in a junction box or 240-volt charging outlet such that Electrical Vehicle Charging Equipment (EVSE) can be directly plugged into it without additional work.
3. **EVSE-Charging Station Installed:** Install a minimum number of Level 2 EV charging stations.

The proposed Ordinance includes the following EV infrastructure requirements for new construction:

- **Single Family Residential:** designated EVSE-Ready parking space pre-wired and ready for 240V (level 2) EVSE installation. Exception: no charger required for an ADU with no parking space.
- **Multifamily Residential and Hotels:** At least 25% of parking spaces will be equipped with functional 240V (level 2) EVSE. Regardless of the number of parking spaces at least 1 EVSE is required. Raceways and electric panel
capacity shall be provided to make 100% of the remaining parking spaces EVSE–Capable.

- **All Other Non-Residential:** At least 20% of parking spaces will be equipped with functional 240V (level 2) EVSE. Regardless of the number of parking spaces at least 1 EVSE is required. Raceways and electric panel capacity shall be provided to make an additional 15% of parking spaces EVSE–Capable.
  
  - **Cost implications:** Initial costs vary based on the selected technology, location and whether or not the parking infrastructure is new or existing. However, installing all of the panels and underground work at the time of initial construction is the least expensive option compared to future retrofit costs.
  
  - **Greenhouse gas impacts:** On a per parking space basis, as part of the 2019 CALGreen EV code development, the California Air Resources Board estimated between 8 and 17 metric tons in avoided greenhouse gas emissions annually per EV ready multifamily space in 2025.

### Substantial Remodels

Because Solana Beach is a relatively built-out community, much of the construction activity in the City consists of remodels to existing homes and buildings rather than entirely new construction. Remodels can vary in scope and degree from minor alterations to significant construction work such that many jurisdictions in California categorize and/or explicitly define as “substantial remodels.” If a construction project reaches the threshold of a “substantial remodel,” then certain California Building Code requirements would apply to the project including applicable Reach Codes as well as the current California Building Code requirement to install photovoltaic (PV) systems on new single-family and low-rise multi-family residential construction.

There are various ways in which a “substantial remodel” can be defined. Some jurisdictions rely on valuations of a certain dollar amount, or on the square footage of a structure being altered, or upon both measures. By selecting a more expansive definition, jurisdictions have greater opportunity to apply an adopted reach code thereby lowering GHG emissions since they can require more households to install photovoltaic systems and/or other electrification requirements. However, if the definition is too broad, then remodeling costs and requirements could become too burdensome to homeowners who might otherwise consider a home improvement project.

Staff proposes the following definitions and any projects that meet these thresholds would have to comply with the requirements in Ordinance 518 if adopted.

- **Any commercial** remodel project that has a permit valuation of $750,000 or more, or that alters or adds more than 50% of the existing square footage of the property will be defined as “new construction.”
• Any **residential** remodel project that has a permit valuation of $150,000 or more and that alters or adds more than 50% of the existing square footage of the property will be defined as “new construction.”

Next Steps

If approved by City Council, Staff will submit the Ordinance and cost-effectiveness studies to the CEC to be filed with the California Building Standards Commission (CBSC) prior to implementation, as required by Public Resources Code Section 25402.1(h)2.

**CEQA COMPLIANCE STATEMENT:**

The proposed Ordinance is exempt from the provisions of the California Environmental Quality Act (“CEQA”) pursuant to Sections 15307 and 15308 of the CEQA Guidelines (14 CCR 15307 and 15308) because it is an activity undertaken to assure the maintenance, restoration, enhancement and protection of the environment and pursuant to Section 15061(b)(3) because there is no possibility that the activity in question may have a significant effect on the environment.

**FISCAL IMPACT:**

The Reach Code amendments parallel the structure and terms of the State Building Code and as such, any incremental plan check and inspection time should be minimal. The provisions will require plan checkers and inspectors to develop and apply additional checklists but are not expected to require significant additional Staff time. Any incremental costs of administering these requirements will be covered through existing permit fees.

**WORK PLAN:**

This item is included in the Environmental Sustainability section of the FY 2021/2022 Work Plan.

**OPTIONS:**

- Do not introduce Ordinance 518 and provide direction.

**DEPARTMENT RECOMMENDATION:**

Staff recommends the City Council consider the introduction of Ordinance 518 amending Title 15 of the Solana Beach Municipal Code to adopt amendments to the

CITY MANAGER’S RECOMMENDATION:

Approve Department Recommendation.

_________________________
Gregory Wade, City Manager

Attachments:

1. Ordinance 518
ORDINANCE NO. 518

AN ORDINANCE OF THE CITY COUNCIL OF SOLANA BEACH, ADOPTING ADDITIONS TO CHAPTER 15.22 (ENERGY CODE) AND CHAPTER 15.23 (GREEN BUILDING CODE) OF TITLE 15 (BUILDING AND CONSTRUCTION) OF THE SOLANA BEACH MUNICIPAL CODE TO ADOPT THE 2019 CALIFORNIA BUILDING CODE AND CALIFORNIA GREEN BUILDING CODE WITH CERTAIN AMENDMENTS, ADDITIONS, AND DELETIONS RELATED TO CLIMATE ACTION THROUGH ENERGY EFFICIENCY, SOLAR ENERGY, 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 code are being adopted by cities state-wide to accelerate GHG reductions from new construction by limiting the use of natural gas, increasing local solar production, and installing electric vehicle (EV) infrastructure to charge a greater number of EV’s beyond state code requirements; and

WHEREAS, forty-nine cities and counties in California have passed ordinances restricting or disincentivizing the use of natural gas in residential, commercial and multi-family buildings; and

WHEREAS, cost effectiveness is demonstrated by the statewide studies (included by reference) “2019 Costeffectiveness Study: Low-Rise Residential New Construction”, prepared by Frontier Energy, Inc. and Misti Bruceri & Associates, LLC, dated July 17, 2019, and “2019 Nonresidential New Construction Reach Code Cost Effectiveness Study”, prepared by TRC and EnergySoft, dated July 15, 2019; and
WHEREAS, the assumptions for climate zones, building types, cost effectiveness, and the provisions of the model reach code are applicable to the City of Solana Beach; and

WHEREAS, the City of Solana Beach wishes to adopt the reach code ordinance to enhance building electrification, on-site solar electricity generation, and EV infrastructure within the City as part of Title 15 of the Municipal Code.

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

SECTION ONE. FINDINGS.

The City Council finds and determines 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 TWO. ENVIRONMENTAL REVIEW.

This Ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to Sections 15307 and 15308 of the CEQA Guidelines (14 CCR 15307 and 15308) because it is an activity undertaken to assure the maintenance, restoration, enhancement and protection of the environment and pursuant to Section 15061(b)(3) because there is no possibility that the activity in question may have a significant effect on the environment.

SECTION THREE. ADDITION OF SECTIONS 15.22.020 THROUGH 15.22.050 AND 15.23.020 THROUGH 15.23.060 TO THE SOLANA BEACH MUNICIPAL CODE.

Sections 15.22.020 through 15.22.050 and 15.23.020 through 15.23.060 of the Solana Beach Municipal Code are hereby added to amend the 2019 California Building Code, California Code of Regulations, Title 24, Part 6 and Part 11 and shall read as follows:

15.22.020 Applicability

A. The requirements of this Chapter shall apply at the time of building permit application for all newly constructed buildings, as defined in Section 15.22.030.
B. The requirements of this Chapter shall not apply to the use of portable propane appliances for use outside of the building envelope, such as outdoor cooking and outdoor heating appliances.

15.22.030 Definitions
For purposes of this Chapter and Chapter 15.23, the following definitions shall apply:

“Mixed-Fuel building” means a building that is plumbed for the use of natural gas or propane as fuel for any systems.

“Newly Constructed” (or “New Construction”) means a building that is new, previously unoccupied or substantially changed as defined herein. For the purpose of enforcing the amendments to the California Energy Code and California Building Code, any work, addition to, remodel, repair, renovation, or alteration of any building(s) or structure(s) may be defined as “New Construction” when:

- Any Non-Residential or mixed use remodel project has a permit valuation of $750,000 or more, or that alters or adds more than 50% of the existing square footage, or
- Any residential remodel project has a permit valuation of $150,000 or more and that alters or adds more than 50% of the existing square footage of the property.

“Non-Residential” means buildings with the following occupancies: nonresidential, residential of 4 or more stories, hotels and motels.

15.22.040 Non-Residential Photovoltaic System Required

   A. All Newly Constructed Non-Residential buildings shall be required to install a minimum 5 kilowatt direct current (kWdc) on-site photovoltaic system, except as provided in 15.22.040(B) or (C) below.

   B. The building official may waive or reduce, by the maximum extent necessary, the provisions of this section 15.22.040(A) above if the official determines that there are sufficient practical challenges to make satisfaction of the requirements infeasible. Practical challenges may be a result of the building site location, limited rooftop availability, or shading from nearby structures, topography or vegetation. The applicant is responsible for demonstrating requirement infeasibility when applying for an exemption.

   C. The building official may waive or reduce, by the maximum extent necessary, the provisions of this section 15.22.040(A) above if the official determines that the building has satisfied the purpose and intent of this provision through the use of
alternate on-site zero carbon, renewable generation systems such as wind energy systems.

15.22.050 Required Electric End Uses

A. All Newly Constructed buildings shall use electricity as the source of energy for its space heating, water heating (including pools and spas), and clothes drying appliances, except as provided in 15.22.050(B) below.

B. Solar thermal pool and spa heating are exempt from section 15.22.050(A) above.

15.23.020 Applicability

A. The requirements of this Chapter shall apply at the time of building permit application for all Newly Constructed buildings, as defined in Section 15.22.030.

B. The requirements of this Chapter shall not apply to the use of portable propane appliances for use outside of the building envelope, such as outdoor cooking and outdoor heating appliances.

15.23.030 Definitions

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

“EV Capable” means a parking space linked to a listed electrical panel with sufficient capacity to provide at least 220/240 volts and 40 amperes to the parking space. Raceways must be at least 1” in diameter and may be sized for multiple circuits as allowed by the California Electrical Code. The panel circuit directory shall identify the overcurrent protective device space(s) reserved for EV charging as “EV CAPABLE.” Construction documents shall indicate future completion of raceway from the panel to the parking space, via the installed raceways.

“Level 2 EV Ready Space” means a parking space served by a complete electric circuit with 208/240 volt, 40-ampere capacity including electrical panel capacity, overprotection device, a minimum 1” diameter raceway that may include multiple circuits as allowed by the California Electrical Code, wiring, and either a receptacle labeled “Electric Vehicle Outlet” with at least a ½” font adjacent to the parking space, or b) electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes.

“Electric Vehicle Charging Station” or “EVSE” means a parking space (or spaces in the event of multiple spaces for which a single charging station with a dedicated charging
port for each space) that includes installation of electric vehicle supply equipment (EVSE) with a minimum capacity of 30 amperes connected to a circuit serving a Level 2 EV Ready Space. EVSE installation may be used to satisfy a Level 2 EV Ready Space requirement.

“Mixed-Fuel building” has the same meaning as in Section 15.22.030.

“Newly Constructed” or “New Construction” has the same meaning as in Section 15.22.030.

“Low-Rise Residential” means all single family residential and low-rise multifamily buildings of 3 stories or fewer.

15.23.040 Electric-Readiness

A. In Newly Constructed Mixed-Fuel 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. Specific 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 include the following components for each gas terminal or stub out:
   a) A dedicated 240 volt, 40 amp or greater circuit and 50 amp or greater electrical receptacle located within 3 feet of the equipment and accessible with no obstructions;
   b) The electrical receptacle shall be labeled with the words “For Future Electric Range” and be electrically isolated; and
   c) A double pole circuit breaker in the electrical panel labeled with the words “For Future Electric Range”.

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 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) Service Capacity
   a) All newly installed electrical panels and subpanels serving common loads in a Mixed-Fuel Building shall have both space for overcurrent protective devices as well as bus bars of adequate capacity to meet all of the building’s potential future electrical requirements as specified in Sections 220.50.1 and 220.50.2.
   b) All newly installed raceways in a Mixed-Fuel Building between the main electric panel and any subpanels, and the point at which the conductors serving the building connect to the common conductors of the utility distribution system, shall be sized for conductors adequate to serve all of the building’s potential future electrical requirements as specified in Sections 220.50.1 and 220.50.2.
   c) The service capacity requirements of this section shall be determined in accordance with Section 220.50.4.

4) Conductor, Raceway and Subpanel Sizing.
   a) Raceway and subpanel capacity shall be sized to be large enough to meet the requirements at the service voltage.
   b) The electrical capacity requirements may be adjusted for demand factors in accordance with the California Electric Code, Title 24, Part 3, Article 220.
   c) For purposes of gas pipe equivalence, gas pipe capacity shall be determined in accordance with the California Plumbing Code, Title 24, Part 5, Section 1208.4.

B. If 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, as calculated and documented by a licensed design professional associated with the project, it shall be exempt from the requirements of Section 15.23.040(A)(3).

15.23.050 Energy Storage Pre-Wiring

All Low-Rise Residential buildings as defined in Section 15.23.030 of this code shall be prewired for the installation of battery storage. The pre-wiring shall be in accordance with California Building, Residential, and Electrical Codes and be adequately sized by a licensed professional to accommodate the backup loads installed in the critical load panel with a minimum of 5 kwh.

15.23.060 Electric Vehicle Charging

A. California Green Building Code, Title 24, Part 11, Residential Mandatory Measures, Section 4.106.4 is amended as follows (strikeouts indicated deletions and underscores indicate additions):
4.106.4.1 New one and two-family dwellings and townhouses with attached private garages. For each dwelling unit with one parking space, install one Level 2 EV Ready Space. For each dwelling unit with two or more parking spaces, install at least one Level 2 EV Ready Space and one EV Capable Space.

4.106.4.1.1 Identification. The service panel or subpanel circuit directory shall identify the overcurrent protective device space(s) reserved for future EV charging as “Level 2 EV CAPABLE.” The raceway termination location shall be permanently and visibly marked as “EV CAPABLE” “EV READY” or “EV CAPABLE”, as the case may be.

4.106.4.2 New multifamily dwellings. If residential parking is available, ten (10) twenty-five (25) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall have an EVSE installed with the remaining 75% of parking facilities being electric vehicle charging spaces (EV capable spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

4.106.4.3 New hotels and motels. All newly constructed hotels and motels shall provide EV spaces capable of supporting future installation of EVSE. The construction documents shall identify the location of the EV spaces. Additionally, at least 25 percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be equipped with functional 240V (Level 2) electric vehicle service equipment.

4.106.4.3.1 Number of required EV spaces. The number of required EV spaces shall be based on the total number of parking spaces provided for all types of parking facilities in accordance with Table 4.106.4.3.1. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number.

B. California Green Building Code, Title 24, Part 11, Nonresidential Mandatory Measures, Section 5.106.5.3.3 is amended as follows:

5.106.5.3.3 EV charging space calculation. Where parking is included in the project scope, at least twenty (20) percent of the total number of parking spaces on a building site, provided for all types of parking facilities, shall have an EVSE installed with an additional fifteen (15) percent parking facilities being electric vehicle charging spaces (EV capable spaces) capable of supporting future EVSE. Calculations for the required number of EV spaces shall be rounded up to the nearest whole number. [N] Table 5.106.5.3.3
shall be used to determine if single or multiple charging space requirements apply for the future installation of EVSE.

SECTION FOUR. 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 FIVE. 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 following approval by the California Energy Commission pursuant to applicable law.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Solana Beach, California held on the 22nd day of September 2021, and thereafter,

PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on the ____ day of __________ 2021, 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
TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: September 22, 2021
ORIGINATING DEPT: Finance
SUBJECT: Quarterly PARS Investment Report

BACKGROUND:

On October 14, 2015, the City Council (Council) adopted Resolution 2015-107 establishing a Section 115 irrevocable benefit trust (Trust) with the Public Agency Retirement Services (PARS) to fund the City of Solana Beach’s (City) unfunded pension and Other Post Employment Benefit (OPEB) liabilities.

This item is before Council to receive a presentation and to accept and file the PARS Investment Reports for the quarter and year ended June 30, 2021.

DISCUSSION:

The City has funded the Trust by using a portion of the projected General Fund budget surplus available at the end of each fiscal year. To date, the following are the contribution amounts and interest earned on the contributions through June 30, 2021:

<table>
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<tr>
<th>Plan Type</th>
<th>Contributions</th>
<th>Interest Earned</th>
<th>Total Investment Balance</th>
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<td>OPEB</td>
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<td>$ 295,300</td>
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<td>Pension</td>
<td>2,428,051</td>
<td>826,008</td>
<td>3,254,059</td>
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<td>Total</td>
<td>$ 3,391,632</td>
<td>$ 1,121,308</td>
<td>$ 4,512,940</td>
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CITY COUNCIL ACTION:

AGENDA ITEM # C.1.
Staff from PARS and Highmark Capital, the manager of the City’s PARS Trust Fund, will be at the meeting on September 22nd to provide an overview of the performance of the City’s Section 115 OPEB and Pension Rate Stabilization Trust Fund.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA

FISCAL IMPACT:

N/A

WORK PLAN:

This item is consistent with Fiscal Sustainability Strategic Priority, Items C and D of the FY 2021-22 Workplan by addressing the City's CalPERS future liabilities and OPEB future liabilities.

OPTIONS:

- Receive reports
- Provide direction

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council accept and file the attached PARS Investment Report for the quarter and year ended June 30, 2021.

CITY MANAGER’S RECOMMENDATION:

Approve Department Recommendation

_________________________
Gregory Wade, City Manager

Attachments:

1. PARS Investment Reports- June 30, 2021
CITY OF SOLANA BEACH

PARS Post-Employment Benefits Trust

Gregory Wade
City Manager
City of Solana Beach
635 South Highway 101
Solana Beach, CA 92075

Account Summary

<table>
<thead>
<tr>
<th>Source</th>
<th>Balance as of 6/1/2021</th>
<th>Contributions</th>
<th>Earnings</th>
<th>Expenses</th>
<th>Distributions</th>
<th>Transfers</th>
<th>Balance as of 6/30/2021</th>
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Investment Selection

Source

<table>
<thead>
<tr>
<th>OPEB</th>
<th>City of Solana Beach</th>
</tr>
</thead>
<tbody>
<tr>
<td>PENSION</td>
<td>City of Solana Beach</td>
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</table>

Investment Objective

Source

<table>
<thead>
<tr>
<th>OPEB</th>
<th>Individual account based on Moderate HighMark PLUS. The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.</th>
</tr>
</thead>
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<td>Individual account based on Moderate HighMark PLUS. The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.</td>
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Investment Return

<table>
<thead>
<tr>
<th>Source</th>
<th>1-Month</th>
<th>3-Months</th>
<th>1-Year</th>
<th>Annualized Return</th>
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<td>3-Years</td>
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<td>4.82%</td>
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<td>10.15%</td>
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<tr>
<td>PENSION</td>
<td>1.14%</td>
<td>4.82%</td>
<td>21.38%</td>
<td>10.18%</td>
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</table>

Information as provided by US Bank, Trustee for PARS; Not FDIC Insured; No Bank Guarantee; May Lose Value

Past performance does not guarantee future results. Performance returns may not reflect the deduction of applicable fees, which could reduce returns. Information is deemed reliable but may be subject to change.

Investment Return: Annualized rate of return is the return on an investment over a period other than one year multiplied or divided to give a comparable one-year return.

Account balances are inclusive of Trust Administration, Trustee and Investment Management fees.

Headquarters - 4350 Von Karman Ave., Suite 100, Newport Beach, CA 92660   800.540.6369   Fax 949.250.1250   www.pars.org
Account Summary

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<tr>
<th>Source</th>
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Investment Selection

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<th>Source</th>
<th>City of Solana Beach</th>
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<tbody>
<tr>
<td>OPEB</td>
<td>City of Solana Beach</td>
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<tr>
<td>PENSION</td>
<td>City of Solana Beach</td>
</tr>
</tbody>
</table>

Investment Objective

- Individual account based on Moderate HighMark PLUS. The dual goals of the Moderate Strategy are growth of principal and income. It is expected that dividend and interest income will comprise a significant portion of total return, although growth through capital appreciation is equally important. The portfolio will be allocated between equity and fixed income investments.

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Investment Return

<table>
<thead>
<tr>
<th>Source</th>
<th>1-Month</th>
<th>3-Months</th>
<th>1-Year</th>
<th>Annualized Return</th>
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<tr>
<td></td>
<td>3-Years</td>
<td>5-Years</td>
<td>10-Years</td>
<td>Plan’s Inception Date</td>
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<td>10.18%</td>
<td>9.34%</td>
<td>-</td>
<td>3/1/2016</td>
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TO: Honorable Mayor and City Councilmembers
FROM: Gregory Wade, City Manager
MEETING DATE: September 22, 2021
ORIGINATING DEPT: City Manager
SUBJECT: Supplemental CARES Act Community Development Block Grant Coronavirus (CDBG-CV) Funding for Community Resource Center’s Food and Nutrition Program

BACKGROUND:

The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities primarily for low- and moderate-income persons and families. Supplemental Coronavirus Aid, Relief, and Economic Security (CARES) Act funding was allocated to the CDBG Program (known as CDBG-CV) through the U.S. Department of Housing and Urban Development (HUD) specifically to address funding needs associated with the COVID-19 pandemic. The County of San Diego’s Health and Human Services Agency (County) is administering these funds as the grantee for the San Diego Urban County Region. In order to provide fuller local control, the County has distributed all funding proportionately amongst the CDBG cities. The proportion is based on HUD required factors that include population, overcrowding and poverty.

The City has been allocated two apportionments of Supplemental CDBG-CV funding for a total of $96,665. The first allocation was in the amount of $26,190 last year, which the City attempted to use to fund three Mobile Food Pantry events. However, the County rejected the City’s request for reimbursement of those funds due to a miscommunication regarding the proper documentation required to secure the reimbursement. The County was subsequently awarded approximately $4.3 million more from HUD for the second round of CDBG-CV funding. The City’s CDBG-CV allocation from the second round of funding was $70,475.

Staff has been researching potential programs to provide its CDBG-CV funding to support those in the community affected by the pandemic. Recently, Staff has been in contact...
with the Community Resource Center (CRC) and has identified a potential program for consideration.

This item is before Council to consider allocating Supplemental CARES Act funding to support the CRC’s Food and Nutrition Program to Solana Beach residents.

**DISCUSSION:**

The CRC Food and Nutrition Program (Program) offers those in need a dignified shopping experience where participants can select their own food staples, along with fresh food. Volunteers guide participants through the Food and Nutrition Center (Center) to select food that local grocery stores and community groups have donated to the CRC. The Center is open daily and has a variety of options to assist those in need.

According to the CRC, from July 1, 2020 to June 30, 2021, 24 households in Solana Beach participated and 90 individuals were served. There was a total of 267 visits to the Center from Solana Beach residents, proving that this is a valuable resource for those in need. On average, the cost per individual is approximately $330, which includes the cost of the food and administering the program. Therefore, the total cost for Solana Beach residents in the past fiscal year was approximately $29,700. The Supplemental CARES Act funding can be used to reimburse the costs already incurred and/or be utilized on an ongoing basis for the duration of the pandemic.

Staff has been in contact with the CRC and County HCD to determine if this Program would qualify for the Supplemental CARES Act funding. CDBG guidelines require that 51% or more of the program participants to be under the 80% Area Median Income (AMI) for the program to be eligible for reimbursement. According to the CRC, they confirm income status and 100% of program participants are at or below 80% AMI with most participants falling below 30% AMI. In addition, there should be a clear nexus between the program expenditures and preventing, preparing or responding to the Coronavirus pandemic. There is no deadline to submit the application to the County, however there is a HUD deadline to expend 80% of the CDBG-CV funds by August 12, 2023. The remaining 20% must be spent by August 12, 2026.

If Council is supportive of the proposed Program, Staff from both the City and CRC will continue to meet with the County to ensure all necessary steps are taken to ensure reimbursement.

**CEQA COMPLIANCE STATEMENT:**

This is not a “project” as defined by the California Environmental Quality Act (CEQA) and is exempt pursuant to Section 15061(b)(3) of the State CEQA Guidelines (14 CCR 15061(b)(3) because there is no possibility that the activity in question may have a significant effect on the environment.
FISCAL IMPACT:

There is no impact to the General Fund due to the use of Federal CDBG-CV Funds. Staff will ensure this program is eligible and all documentation approved by the County prior to authorizing the CRC to expend any funds. The City has been allocated CDBG-CV funding of approximately $96,665, which will be used to support this Program. If the Council authorizes the use of CRC as the third-party administrator, 5% of the available CDBG-CV funds will be used pay for their administrative services.

WORK PLAN:

N/A

OPTIONS:

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

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council discuss and provide direction to Staff regarding the potential use of available CDBG-CV funding for the proposed Food and Nutrition Center administered by the Community Resource Center.

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: September 22, 2021
ORIGINATING DEPT: City Manager/City Attorney
SUBJECT: Adopt (2nd Reading) Ordinance 515 -- Amending Section 2.08.040 Regarding Official Bonds and Insurance

BACKGROUND:

Section 2.08.040 of the Solana Beach Municipal Code (SBMC) currently requires the City Manager to furnish a corporate survey surety bond to be approved by the City Council in such sum as may be determined by the City Council. Government Code Section 36518 requires the City Clerk and City Treasurer to execute a bond in a reasonable amount recommended by the City Attorney and fixed by the City Council, by resolution, and may be changed during their terms of office.

Section 1463 of the Government Code provides in pertinent part as follows:

...a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, may be provided as an alternative to the official bond by any county or city, subject to approval by the presiding judge of the superior court and recording and filing as provided in Sections 1457 to 1460.1, inclusive...

As Sections 1457 to 1460.1 do not require the official bonds of city officers to be approved by the presiding judge of the superior court, recorded or filed, Section 1463 authorizes the City to procure an insurance policy instead of an official bond.

Government Code Section 1463 also provides that “an insurance policy procured pursuant to this section may be used as a master bond as though it were an official bond, subject to approval of the appointing power or legislative body as provided in Section 1481.”

CITY COUNCIL ACTION:

____________________________________________________________________________________
____________________________________________________________________________________
____________________________________________________________________________________

AGENDA ITEM C.3.
Government Code Section 1481 provides, in part, as follows:

(b) Notwithstanding any other provision of law, when deemed expedient by the legislative body of a local public agency, a master official bond or other form of master bond may be used which shall provide coverage on more than one officer, employee, or agent of the local public agency, whether elected or appointed, who is required by statute, regulation, the appointing power, the governing board of a local public agency, or the board of supervisors of a chartered or general law county to give bond.

On September 8, 2021, the City Council introduced Ordinance 515 (Attachment 1). This item is before the Council to consider the Adoption (2nd Reading) of Ordinance 515 amending the SBMC Section 2.08.040 to allow for an insurance policy as an alternative to an official bond.

DISCUSSION:

The City may use a master bond rather than separate official bonds pursuant to Government Code Section 1481 if the City Council deems it expedient. And the City may procure insurance as an alternative to a master bond pursuant to Government Code Section 1463 subject to approval of the City Council.

Ordinance 515 amends SBMC Section 2.08.040 to allow for an insurance policy as an alternative to an official bond.

CEQA COMPLIANCE STATEMENT:

Not a project as defined by CEQA.

FISCAL IMPACT:

Ordinance 515 would eliminate separate official bond requirements and their premiums and maintain the City’s current insurance, which has coverage under the Master Crime Program, similar to a faithful performance bond, including a Government Crime Policy on Discovery Form with the following coverages: Employee Theft including Faithful Performance of Duty (Per Loss Coverage); Forgery or Alteration including Credit, Debit or Charge Card Forgery; Inside the Premises – Theft of Money & Securities; Inside the Premises – Robbery or Safe Burglary of Other Property; Outside the Premises; Computer Fraud; Funds Transfer Fraud; and Money Orders and Counterfeit Paper Currency.

WORK PLAN:

N/A
OPTIONS:

- Approve Staff recommendation.
- Approve Staff recommendation with alternative amendments / modifications.
- Do not approve Staff recommendation.
- Provide alternative direction to Staff.

DEPARTMENT RECOMMENDATION:

Staff recommends that the City Council adopt Ordinance 515 amending Section 2.08.050 of the Solana Beach Municipal Code.

CITY MANAGER’S RECOMMENDATION:

Approve Department Recommendation.

Gregory Wade, City Manager

Attachments:

1. Ordinance 515
ORDINANCE 515

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF SOLANA BEACH, CALIFORNIA, AMENDING
SECTION 2.08.040 REGARDING OFFICIAL BONDS
AND INSURANCE

WHEREAS, Section 2.08.040 of the Solana Beach Municipal Code (SBMC) currently requires the City Manager to furnish corporate survey surety bond to be approved by the City Council in such sum as may be determined by the City Council;

WHEREAS, Government Code Section 36518 requires the City Clerk and City Treasurer to execute a bond in a reasonable amount recommended by the City Attorney and fixed by the City Council, by resolution, and may be changed during their terms of office;

WHEREAS, Section 1463 of the Government Code provides that a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, may be provided as an alternative to the official bond by any city;

WHEREAS, Sections 1457 through 1460.1 of the Government Code do not require the official bonds of city officers to be approved by the presiding judge of the superior court, recorded or filed;

WHEREAS, Government Code Section 1463 also provides that “an insurance policy procured pursuant to this section may be used as a master bond as though it were an official bond, subject to approval of the appointing power or legislative body as provided in Section 1481”; and

WHEREAS, Government Code Section 1481(b) provides that, notwithstanding any other provision of law, when deemed expedient by the legislative body of a local public agency, a master official bond or other form of master bond may be used which shall provide coverage on more than one officer, employee, or agent of the local public agency, whether elected or appointed, who is required by statute, regulation, the appointing power, or the governing board of a local public agency to give bond; and

WHEREAS, using a master official bond that provides coverage for more than one officer or employee of the City and using insurance as an alternative to an official bond is expedient and in the best interests of the public.

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

SECTION 1. FINDINGS

The City Council finds that:
A. The facts set forth in the recitals are true and correct and incorporated herein by this reference. 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 not a project as defined by the California Environmental Quality Act.

SECTION 3. AMENDMENT TO SBMC SECTION 2.08.040

Section 2.08.040 of the Solana Beach Municipal Code is hereby amended as follows (deletions in strikeout and additions in underline):

2.08.040 Bond or Insurance.
A. The city manager shall furnish a corporate survey surety bond to be approved by the city council in such sum as may be determined by the city council, and shall be conditioned upon the faithful performance of the duties imposed upon the city manager and acting city manager as prescribed in this chapter. Any premium for such bond shall be a proper charge against the city.
B. The bond requirement in Section 2.08.040 above and any other official bond required by law may be fulfilled by a master official bond which shall provide coverage on more than one officer, employee, or agent of the city, or, alternatively, with a government crime insurance policy or employee dishonesty insurance policy, including faithful performance, with a coverage limit approved by the city council.

SECTION 4. CONFLICTS WITH PRIOR ORDINANCES

If the provisions in this Ordinance conflict in whole or in part with any other City regulation or ordinance adopted prior to the effective date, the provisions in this Ordinance will control.

SECTION 5. 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 6. EFFECTIVE DATE

This Ordinance shall become effective 30 days after its adoption. Within fifteen (15) days after its adoption, the City Clerk of the City of Solana Beach shall cause this Ordinance to be published pursuant to the provisions of Government Code Section 36933.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of Solana Beach, California, on September 8, 2021.

THEREAFTER ADOPTED at a regular meeting of the City Council of the City of Solana Beach, California, on September 22, 2021, by the following vote:

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

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LESA HEEBNER, Mayor

APPROVED AS TO FORM: ATTEST:

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JOHANNA N. CANLAS, City Attorney ANGELA IVEY, City Clerk