



**AMENDED  
AGENDA**  
CITY OF SEASIDE  
CITY COUNCIL

REGULAR MEETING  
Council Chamber  
440 Harcourt Avenue  
Thursday, March 21, 2019  
7:00 PM

---

**1. CALL TO ORDER**

**2. ROLL CALL – ESTABLISHMENT OF QUORUM**

|                  |                |
|------------------|----------------|
| Ian N. Oglesby   | Mayor          |
| David R. Pacheco | Council Member |
| Jason Campbell   | Council Member |
| Jon Wizard       | Council Member |
| Alissa Kispersky | Council Member |

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

**4. REVIEW OF AGENDA**

*If there are any items that arose after the 72-hour posting deadline, this is the point in the meeting where a vote may be taken to add the item to the agenda. (A 2/3-majority vote is required).*

**5. PUBLIC COMMENT**

*Members of the public wishing to address the City Council on matters within the jurisdiction of the City of Seaside, but not on this agenda, may do so during the Public Comment period for up to three minutes. Public Comments on specific agenda items are heard under that item. For the public record, please state your name.*

**6. PUBLIC AGENCY COMMUNICATIONS**

*This is a time specifically set aside for representatives of public agencies to make brief comments of general interest to the City Council and the community.*

**7. PRESENTATIONS**

**A. PROCLAMATION HONORING THE LATE REVEREND HERBERT HOOVER LUSK SR.**

**8. CONSENT AGENDA**

**A. APPROVE MINUTES FROM FEBRUARY 27, 2019, MARCH 7, 2019 AND**

**MARCH 14, 2019**

**RECOMMENDATION:** That the minutes be reviewed and approved.

**B. APPROVE AND FILE CITY CHECKS**

**RECOMMENDATION:** Approve and file the accounts payable and wired payments made during the period of February 23, 2019 through March 8, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of February 28, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,545,630.32.

**C. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM MONTEREY CONDORS CLUB**

**RECOMMENDATION:** Approve a request from Monterey Condors Club for a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund for the cost associated with funding tournaments and community events and purchasing trash containers.

**D. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL BLACK STUDENT ALLIANCE FOR COST ASSOCIATED WITH THEIR TRIP TO SOUTHERN CALIFORNIA**

**RECOMMENDATION:** Approve a request from Seaside High School Black Student Alliance for a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund for the cost associated with their trip to Southern California.

**E. APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM LADIES FIRST FOR COST ASSOCIATED WITH THEIR YOUTH ACTIVITIES, WORKSHOPS, CULTURAL AND EDUCATIONAL OPPORTUNITIES**

**RECOMMENDATION:** Approve the request from the Ladies First for a donation of Two Thousand Five Hundred dollars (\$2,500.00) from the Mayor's Youth Fund for costs associated with their youth activities, workshops, cultural and educational opportunities.

**F. CONSIDER CO-SPONSORSHIP AND A FEE WAIVER FROM COMMUNITY**

**HUMAN SERVICES FOR THE USE OF THE LAGUNA GRANDE HALL FOR THEIR NARCAN DISTRIBUTION EVENT**

**RECOMMENDATION:** Approve a co-sponsorship and fee waiver request from the Community Human Services for the Laguna Grande Hall to hold their Narcan Distribution Event in the amount of Two hundred, Sixty-Four dollars and Thirty-Eight cents (\$264.38).

**G. APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF DEL MONTE AVENUE TO THROUGH TRAFFIC FROM TIOGA AVENUE TO LITHIA DETAIL FOR THE PORSCHE MONTEREY CLASSIC PARTNER EVENT ON AUGUST 12, 2019**

**RECOMMENDATION:** Approve a resolution permitting the closure of Del Monte Avenue to through traffic from Tioga Avenue to Lithia Detail (see attached map) to ensure public safety during the Porsche Monterey Classic Partner Event on Monday, August 12, 2019.

**H. APPROVAL OF COMMUNITY DEVELOPMENT ADVISORY COMMITTEE RECOMMENDATIONS FOR THE USE OF 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND PROVIDE DIRECTION FOR STAFF TO INCLUDE IN THE 2019-2020 ANNUAL ACTION PLAN REQUIRED TO BE SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

**RECOMMENDATION:** To approve the recommendations of the CDAC for allocations of projected CDBG funds for fiscal year 2019-2020 and to provide direction to staff for allocations of Public Services and Projects to include in the Annual Action Plan while using contingency provisions to adjust to actual funding levels when the federal allocation to the City of Seaside is announced by HUD.

**I. ADOPT A RESOLUTION OF SUPPORT FOR HR 763: THE ENVIRONMENTAL INNOVATION AND CARBON DIVIDEND ACT, AS RECOMMENDED BY THE SEASIDE ENVIRONMENTAL COMMITTEE**

**RECOMMENDATION:** Adopt a resolution of support for the Environmental Innovation and Carbon Dividend Act (hr 763).

**J. AUTHORIZATION TO DISPOSE OF SURPLUS CITY VEHICLES AND EQUIPMENT**

**RECOMMENDATION:** The purpose of this item is to obtain City Council approval for the disposal of City vehicles and equipment that are no longer needed and considered excess due to inoperability or poor condition. It is recommended that the City Council approve the disposal of the vehicles and equipment identified in this report.

**K. AUTHORIZE CITY COUNCIL MEMBERS TO ATTEND THE 49TH ANNUAL PEACE OFFICER OF THE YEAR AWARDS DINNER FRIDAY, MARCH 22, 2019**

**RECOMMENDATION:** That the City Council authorize the expenditure of \$60.00 per person for any member of the City Council who wishes to attend the MCPOA 49th Annual Peace Officer Of the Year Awards Dinner at the Embassy Suites Friday March 22, 2019.

**9. BUSINESS ITEMS**

**A. APPROVE A RESOLUTION MODIFYING THE POSITION ALLOCATION LIST TO ADD ONE ASSISTANT CITY ATTORNEY AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE NECESSARY BUDGET ADJUSTMENTS**

**RECOMMENDATION:** It is recommended that the City Council adopt the resolution modifying the Position Allocation List to add one Assistant City Attorney and authorize the Finance Director to make the necessary budget adjustments.

**B. RECEIVE, DISCUSS AND PROVIDE DIRECTION ON THE FINANCIAL AUDIT OF COUNCIL MEMBER EXPENSES**

**RECOMMENDATION:** To receive the audit report, and direct staff to prepare policy changes to implement the policy recommendations stated in the audit report, and direct the City Attorney to pursue collection of unauthorized expenditures.

**C. APPROVE DESIGN FOR A PHOTOVOLTAIC PARKING CANOPY PROJECT AT CITY HALL, APPROPRIATE \$246,000 FROM CAPITAL RESERVE FUND AND APPROVE FISCAL YEAR 2018/2019 BUDGET AMENDMENT IN THE AMOUNT OF \$723,000 FOR CONSTRUCTION OF THE PROJECT**

**RECOMMENDATION:** The City Council should consider approving the design for a photovoltaic parking canopy project (Solar Project); appropriate \$246,000 from Capital Reserve fund; and approve a fiscal



year 2018/2019 budget amendment in the amount of \$723,000 for construction of the project.

**10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND RE**

*This is a time specifically set aside for members of the City Council, the City Manager and City Attorney community, make requests that items be added to future City Council meeting agendas as necessary a*

**11. ADJOURNMENT**

Next Regularly Scheduled Meeting:

April 4, 2019

7:00 PM

---

The City of Seaside is committed to providing accessible facilities and accommodating people with disabilities in all of its services programs and activities. If special considerations are needed by any person to fully participate in this meeting, contact the City Clerk at 899-6707 no fewer than two business days prior to the meeting to allow reasonable arrangements. The City Council chamber is equipped with a portable microphone and assisted listening devices are available at all meetings. City Council Meetings that are held in the City Council Chambers are broadcast live to all Seaside residents on Comcast Channel 25 and U-verse Channel 99. Live streamed meeting videos as well as videos of past meetings are available on the City's website at: <http://www.ci.seaside.ca.us/129/City-Council-Committee-Agendas>

Agenda-related writings or documents provided during public meetings are available for public inspection during the meeting or from the office of the City Clerk. This agenda is posted in compliance with California Government Code Section 54954.2(a) or Section 54956.



**DRAFT MINUTES**  
CITY OF SEASIDE  
CITY COUNCIL

SPECIAL MEETING  
Council Chamber  
Wednesday, February 27, 2019  
7:00 PM

---

**1. CALL TO ORDER**

Mayor Oglesby called the meeting to order at 7:00 PM.

**2. ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Campbell, Kispersky, Oglesby, Pacheco, Wizard

ABSENT: None

**3. PUBLIC COMMENT**

Mayor Oglesby invited comments from the public.

- Richar, against shelter
- Diana Ingersoll, spoke to letter that she sent the Council thanking them for the opportunity to apply for Council; congratulated Council member Kispersky. She spoke on her confusion on the shelter.

**4. BUSINESS ITEMS**

**A. PRESENTATIONS BY COMMUNITY HUMAN SERVICES/GATHERING FOR WOMEN AND COMMUNITY HOMELESS SOLUTIONS, WITH DISCUSSION AND DIRECTION FROM THE CITY COUNCIL**

Item was introduced by City Manager Malin. Mr. Malin introduced Community Human Services and Gathering for Women. Kate Daniels, Interim Executive Assistant of Gathering for Women and Robin McCrae, CEO of Community Human Services. They spoke on their proposed full-service shelter program. Their presentation included their vision for the shelter and spoke on their success with their current programs. They reference their individual agencies and what they provide. They also spoke on the population of homeless in Seaside. Ms. McCrae and Ms. Daniels spoke on their proposal if selected. Their proposal include a full-service shelter program which consists of: a robust menu of services - 90 day shelter operated by CHS, hot meals provided by GFW, comprehensive case management and services provided by CHS and GFW. They went over their architectural plan, their plan for sustainability, staffing, staff training and operations, what a typical day would look like, children's services on weekends, holidays and school breaks, and they spoke on the letters of support and intent to partner from different agencies. In closing they spoke to the opportunity they will be providing to the homeless and how the shelter will help take people off the street and into a safe a place.

Council Member Campbell thanked them for their presentation. He spoke that he knows about the problem with the homelessness that our City has. He asked about the number of the beds that were answered by Ms. Daniels and Ms. McCrae. He doesn't think that the amount per year to run the shelter is not outrageous number. He also asked were the kids/families will be on a Saturday, holiday? Both Ms. Daniels and Ms. McCrae spoke on what they have plan for them to be doing in those days. Council Member Wizard thanked them for their presentation. He spoke on the amount of guests, 250, is a sadden number of people who are homeless in our City. Spoke on the number of meetings that the City has had to discuss this topic. He asked about the number of children that would be coming to the center. Ms. McCrae responded that at this time it is hard to tell, but guesses that half is women and the other half children. Spoke on how well and prepared they are on the ordinance and work they have done. Council Member Wizard spoke on the screening of the structure of the building, that were answered by Ms. Daniels and Ms. McCrae. Council Member Wizard asked Deputy Chief Veloz about the plan of the sobering center. Chief Veloz spoke to us already doing and it is something they can handle. Council Member Wizard spoke to the experience that the group has and that they should be commended for their work they do. Council Member Kispersky asked how they are planning on raising the amount needed to run the center. Ms. McCrae mentioned that that it could be split between the County, the City, private sector. Council Member Kispersky has what would the County's involvement be since they own the building. Mc. McCrae responded that they believe it would be a relationship between the County and the City. Ms. Daniels spoke that the important thing is to let the County know that the City is willing to have a relationship with the County. Council Member Kispersky asked that if this project would not be approve if the group is willing to engage with the City on different projects. Ms. Daniels responded that they would be willing to work with the City. Council Kispersky commented that she would like to see the group engage with the Homeless Commission. Mayor Pro Tem Pacheco appreciated the presentation. He believes that this presentation educated a lot of people. He asked if the organization would be in charge of submitting the application. Ms. McCrae responded that if the project is blessed by the Council they would be submitting and managing the application. Mayor Pro Tem Pacheco asked that they mentioned that the facility is for Seaside residents, but since they move from place to place then how would that work. Ms. Daniels mentioned that the women that they serve come from all over the Peninsula and that they can't guarantee that all the women are from Seaside, but it will be a Seaside program and there is a need. Mayor Pro Tem Pacheco commented that he appreciates both groups and everything they have done for the community. Mayor Oglesby asked if there is a possibility to change the address by changing the location of the entrance. Ms. Daniels responding that, that is something they can explore and will not be opposed at all. Mayor Oglesby requested that they ask the County to commit to making the facility better.

Mr. Reyes Bonilla, Community Homeless Solutions, he spoke on a blessing they received from the City of Marina. He spoke on where they see themselves as an agency in the next five years. He spoke on the path that they would like to take

and are looking into a permanent solution. He mentioned that their focus is on permanent solutions. Mr. Bonilla gave some background on how their agency was started. Mr. Bonilla mentioned that their agency will withdraw the HEAP application because they want to focus on what they can do for the individuals that are coming in if the Leadership Council approve funding for the shelter then their referral program can provide housing.

Council Member Campbell thanked Mr. Bonilla for his presentation. He asked a couple of clarification questions that were answered by Mr. Bonilla. Council Member Kispersky asked if they currently have a shelter in Seaside to which Mr. Bonilla answered that they do. Council Member Wizard thanked Mr. Bonilla for his presentation. Council Member Wizard asked if there was anyone from the County that could speak on behalf of their agency. Mayor Oglesby responded that they will have their 3 minutes during the public comment period. Mayor Oglesby thanked Mr. Bonilla for his presentation. Mayor Pro Tem Pacheco asked clarification on what they applied for. Mr. Bonilla confirmed that they withdrew for HEAP. Mayor Oglesby asked if there was someone representing the County or someone representing the 4th District to speak on behalf of their agency. Wendy from District 4th spoke on the need of the shelter. She spoke on the location of the shelter and before making an assessment of the building. They are waiting on direction from Seaside before discussing that. Spoke on the partnership of the County with the City of Salinas. Mayor Oglesby spoke on the different things that need to be talked about in regards to the building. Glorietta Rowlin Department of Social Services Community Action, mentioned that they have not received any specific guidance, but that the first step is for the City to contact County. Mayor Oglesby asked that they listen to what the community is saying and what they want. Council Member Kispersky mentioned that if we are doing the shelter and if it is on Broadway and we should be proud of it. Council Member Campbell spoke on considering a permanent building and different location in the future. He spoke on the need of the HEAP money. Mayor Pro Tem Pacheco spoke on the City working with the group and engage with the community. Mayor Oglesby spoke on the second item on the agenda. He spoke on the different HEAP money the City can apply for.

Mayor Oglesby invited comments from the public.

- Pauletta Adams - he likes the Council and thinks they are go getters and asked them to go get it. Supports proposal.
- Tom Mancini - recommended that Council take a trip and visit the different locations the Community Human Services and Gathering from Women have. He does not have a problem with the location.
- Sandra Weaver - thanked Council for bringing homelessness shelter to Seaside; she supports proposal.
- Kathrin Crocket - Thanked Council; supports proposal for women and children.
- Steve McShane - Supports proposal.
- Rosemarie Axton - works for IHelp decided to withdraw from the HEAP. Asked Mayor Oglesby to come up with a proposal and get that Seaside

can get.

- Diana Ingersoll - Mentioned that the presentations answered a lot of her questions. She spoke on the \$500,000 for operation and would like to know who is responsible for the rehabilitation of the building. She also spoke on the 10 year commitment that the City has through HEAP. Who is doing the HEAP renovation application?
- Peter Kaiser - Asked Council to consider that the group that the Council picks that they have a long term concept for the people who come into the program. Consider program Prison Fellowship because it is a strong program. Have a fate base element.
- Wanda Perrit - Supports Mr. Bonilla's proposal and believes the three agencies should work together.
- Pastor Lusk Jr. - Supports CHS and Gathering for Women.
- Richard - Supports CHS and Gathering for Women for a Shelter of Women and Children.
- Felix Bachofner - presentations were good, but the problem is the many phone calls he received saying this shouldn't be done. He spoke on what Wendy from 4th District said about the need for 3,000 beds and if this facility is build 100 beds will be available through the County. Only 3% of the total need. Spoke on the statistics of homelessness.
- Pastor Murray - Supports CHS/Gathering for Women proposal.
- Gracie Rubio - Supports proposal, not location.
- Kathy Rivera - Supports proposal.

Mayor Oglesby directed staff to write letter of support for Community Housing Services and Gathering for Women to County.

## **B. POTENTIAL CITY HEAP GRANT APPLICATION(S)**

Mayor Oglesby spoke on item and asked the City how can the City help and assist them for the HEAP money.

City Manager Malin spoke on the meeting taking place in Salinas and should a City representative go to that. If we don't go to the HEAP meeting we do not get any of those funds. Mr. Malin spoke on the different grants that we can apply for. Their will be further discussions in the future for the range of opportunities for HEAP funding.

Staff was directed to send a representative to the meeting.

## **5. ADJOURNMENT**

On motion, the meeting was adjourned at 10:15 PM.

**Respectfully submitted,**

---

**Rosa Salcedo, Meeting Clerk**

---

**Ian N. Oglesby, Mayor**



**DRAFT MINUTES**  
CITY OF SEASIDE  
CITY COUNCIL

REGULAR MEETING  
Council Chamber  
Thursday, March 7, 2019  
7:00 PM

---

**1. CALL TO ORDER**

Mayor Oglesby called the meeting to order at 7:00 PM.

**2. ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Campbell, Kispersky, Oglesby, Pacheco, Wizard  
ABSENT: None

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

Pastor Edgar Oggario provided the invocation.

**4. REVIEW OF AGENDA**

No changes were requested.

**A. CITY ATTORNEY AUDIT UPDATE**

City Attorney Freeman reported that the District Attorney completed the review of the forensic audit which looked at expenditures of the City Council Members and they do not believe there were violations sufficient enough to charge with criminal actions. The City Council will officially receive the report at the next City Council meeting on March 21, 2019.

**5. PUBLIC COMMENT**

Mayor Oglesby invited comments from the public.

- Alvin Edwards thanked the community who showed up for the grand opening of the Barber Shop on Broadway Avenue by EJ Rowland and Orlando Johnson. He also thanked City staff for their efforts.
- Mitt Sawhney spoke to the forensic audit report and asked the Council how they will respond to the admittance for mis-management.
- Peter Keiser spoke to the Forty Days of Life vigil that starts tonight and he also invited the community to celebrate St. Patrick's Day and spoke to the history of St. Patrick.
- Kenneth Murray announced for the Community Preparedness Fair and Blood Drive held at 1024 Noche Buena hosted by the Faith Based Alliance.

**6. PUBLIC AGENCY COMMUNICATIONS**

- Alvin Edwards, Director of the Monterey Peninsula Water Management District reported that they hired three consultants, for the Cal Am feasibility study. He reported that the next regular meeting on March 18th will have a discussion of the Pure Water Monterey expansion.
- City Manager Malin invited the public to attend the next Seaside Chat with world renowned architects Studio Gang on Friday March 15th at noon to talk about the community's vision of design at the top of Broadway Avenue for a Seaside Civic Campus.

## 7. **PRESENTATIONS**

### **A. PROCLAMATION FOR INTERNATIONAL WOMEN'S DAY MARCH 8, 2019**

Council Member Wizard and Mayor Oglesby presented Ester Griffen-Burg with the proclamation.

### **B. UPDATE ON HEAP GRANT APPLICATION(S)**

City Manager Malin provided the update speaking to the purpose of the grant, the recent City Council direction and the application deadline of April 1st. He provided a recap of the Special City Council meeting as well as a meeting with community based organizations for possible partnerships and project ideas. He suggested ideas such as portable shower/restrooms, emergency shelters, services from CBOs, safe parking and a possible land lease that will assist with housing homeless students and increasing affordable housing.

The Council spoke in support of portable hygiene facilities, safe parking including looking at city owned or controlled land and not just churches, and to focus on homeless youth. Mr. Malin stated that given the timeline, he suspects staff will be requesting a special meeting on March 28th to review the proposed applications.

## 8. **CONSENT AGENDA**

*On motion by Council Member Jason Campbell and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council approved the Consent Agenda with the exception of items D, F and G.*

**RESULT:** ***Approved***

**AYES:** *Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky*

**NOES:** *None*

### **A. APPROVAL OF MINUTES FROM FEBRUARY 21, 2019 REGULAR MEETING**

***Action: Approved***

### **B. APPROVE AND FILE CITY CHECKS**

***Action: Approved***

### **C. APPROVE A FEE WAIVER REQUEST FROM THE VILLAGE PROJECT INC FOR THE USE OF LAGUNA GRANDE HALL FOR THEIR MAE C. JOHNSON AFTER-SCHOOL ACADEMY CELEBRATION OF EXCELLENCE EVENT**

***Action: Approved***



**D. APPROVE A MAYOR'S YOUTH FUND CONTRIBUTION REQUEST FROM SEASIDE HIGH SCHOOL BOYS AND GIRLS SWIM TEAM**

Tamara with the Seaside High School swim team spoke to the intended uses of the grant funds and announced there will be a swim meet against Soledad this Friday. There were no public comments for this item.

*On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Jon Wizard and passed by the following vote the City Council approved the request as presented.*

**RESULT:** **Approved**

**AYES:** Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky

**NOES:** None

**E. AUTHORIZE COUNCIL MEMBER WIZARD'S ATTENDANCE AT THE LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETINGS**

**Action: Approved**

**F. APPROVE A RESOLUTION AMENDING THE PROFESSIONAL SERVICES AGREEMENT WITH HARRIS & ASSOCIATES FOR THE DESIGN OF ROADWAY IMPROVEMENTS TO INCLUDE TWO ADDITIONAL STREETS FOR AN AMOUNT NOT TO EXCEED \$71,416.**

Council Member Pacheco pulled the item to bring community awareness to the progress of street improvements. There were no public comments on the item.

*On motion by Mayor Pro Tem Dave Pacheco and seconded by Council Member Jason Campbell and passed by the following vote the City Council approved the item as presented.*

**RESULT:** **Approved**

**AYES:** Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky

**NOES:** None

**G. APPROVE A RESOLUTION AUTHORIZING FISCAL YEAR 2019-20 STREET REPAIR PROJECT LIST TO BE FUNDED IN PART WITH SB1 ROAD MAINTENANCE AND REHABILITATION ACCOUNT REVENUES AND AUTHORIZING STAFF TO SUBMIT TO THE CALIFORNIA TRANSPORTATION COMMISSION**

Council Member Kispersky requested to get an update on the expenditure of bond funds for the project. City Engineer Riedl reported on the four resurfaced streets, and the current progress for design for rehabilitation of additional streets. He outlined the planned improvements for the approved arterial and collector resurfacing project and spoke to the different levels of treatments. On question by Council Member Campbell Mr. Ridel said new circulation ideas are not included in this rebuild and needs to be studied more at this point.

Mayor Oglesby invited comments from the public.

- A resident of military avenue questioned how the rain of this season is impacting the rehabilitation planning.

Mr. Riedl acknowledged the rain has delayed the pot hole repair and deflection testing and has opened additional potholes.

*On motion by Council Member Alissa Kispersky and seconded by Mayor Pro Tem Dave Pacheco and passed by the following vote the City Council approved Resolution 19-14 as presented.*

|                |                                                                                |
|----------------|--------------------------------------------------------------------------------|
| <b>RESULT:</b> | <b>Approved</b>                                                                |
| <b>AYES:</b>   | <i>Ian Oglesby, Dave Pacheco, Jason Campbell, Jon Wizard, Alissa Kispersky</i> |
| <b>NOES:</b>   | <i>None</i>                                                                    |

## 9. **BUSINESS ITEMS**

### **A. PROVIDE DIRECTION ON SHORT-TERM RENTAL ENFORCEMENT**

City Manager Malin started the discussion recapping the adoption of an ordinance which became effective August 2018 and the staff implementation process. He presented the status of all permit applicants which is significantly less than the total number operating and explained that staff recommends the Council authorized the initiation of enforcement and allow staff to negotiate payment plans for operators to pay taxes to come into compliance. The City Attorney clarified the Ordinance became effective 30 days after passage and the City's goal is to work with operators to get them into compliance. Anyone who is short term renting, legal or illegal, owes tax back to August 6, 2018. He explained there are many operators who are requesting the tax collection start date be modified to January 1, 2019. He also stated that staff is working with Airbnb to contract for the collection of TOT which will come before the Council at a future meeting. Mr. Freeman and Mr. Malin answered questions from the Council.

The Council questioned the inspection process, the eligibility to obtain a permit, the difference between hosted and non-hosted, the unexpected duration of implementation, challenges with the online portal, how existing hotels pay their TOT and the level of public involvement during the establishment of the ordinance.

Mayor Oglesby invited comments from the public.

- Susan Bradley, founder of Monterey County Vacation Rental Alliance spoke to the application process being confusing for ordinary citizens, citing issues with the implementation process but noted that the process has gotten better in the last few weeks. She explained that many operators book months in advance, and TOT has to be collected when booked, otherwise it is paid by the homeowner. Therefore she requested the Council to consider adjusting the date of TOT collection to January 1, 2019.
- Kate Mulligan said that she cannot financially afford to go back to August and also cited frustration with the process.
- Dennis Volk spoke representing many hosts acknowledging the glitches with the process and requested to modify the collection date to January 1 and questioned how to get a physical permit in hand.

- Felix Bachofner suggested to simplify the system by making short term rentals a principally permitted use for any home in Seaside and let the free market vet the system.
- Sam Rashkin suggested requiring all rentals to be inspected as it would make the whole City safer.

Council Member Pacheco believes the unexpected duration of implementation and communication issues created frustration from public. Council Member Wizard cited that one applicant was approved within 15 days so he does not think the process is too arduous. Mayor Oglesby spoke to the purpose to allow operators a way to operate legally. He said he was in support of changing the date. Council Member Campbell did not support delaying the collection of TOT, as it was clear to the applicants when it was due and supported allowing a payment plan. Just because the business is illegal does not absolve people of paying taxes. Council Member Wizard agreed citing that just because the process is burdensome, does not absolve you of compliance. The funds are intended for parks and housing and it is not fair to the rest of the Seaside residents.

Council Member Pacheco said he does not believe the City was operational and the residents deserve a friendly business environment.

Council Member Pacheco motioned to make January 1, 2019 as a start date for the collection of TOT taxes and those that have paid prior to that date will be reimbursed for their full amount of approx. \$27,000 and was seconded by Mayor Oglesby.

The Council discussed the motion on the second, debating what the market could hold, the challenges for those that have never operated a business and the need to improve processes prior to implementation.

Council Member Wizard offered as substitute motion for the staff recommendation with the addition of business license fees, seconded by Council Member Campbell.

Speaking on the question, Council Members Pacheco and Kispersky both agreed that the revenue is not worth the loss of trust of our citizens and our small business owners. Council Member Wizard disagreed stating the entire rationale for this was to gain money to inject into affordable housing or parks for the benefit of all citizens not just the 28 applicants that should have known to collect the taxes. Motion fails 3 to 2 with Kisperskey/Pacheco/Oglesby voting No Mayor Oglesby called for the question on the original motion.

*On motion by Mayor Pro Tem Dave Pacheco and seconded by Mayor Ian Oglesby and passed by the following vote the City Council approved the staff recommendation to make January 1, 2019 as a start date for the collection of TOT taxes and permit holders that have paid prior to January 1, 2019 will be reimbursed for their full amount of approximately \$27,000 and the City Attorney is directed to initiate compliance.*

|                |                                                    |
|----------------|----------------------------------------------------|
| <b>RESULT:</b> | <b>Approved</b>                                    |
| <b>AYES:</b>   | <i>Ian Oglesby, Dave Pacheco, Alissa Kispersky</i> |
| <b>NOES:</b>   | <i>Jason Campbell, Jon Wizard</i>                  |

## **B. RECEIVE A PRESENTATION ON POTENTIAL JULY 4TH FIREWORKS SHOW AND PROVIDE DIRECTION**

Recreation Superintendent Dan Meewis presented the planning details of the 2019 4th of July celebration. He recapped the 2018 event at Bayonet Black Horse golf course including lessons learned and indicated staff is trying to address parking improvements, traffic control, more restrooms, more vendors, and the length of the event. He also spoke to challenges for 2019, including security staffing. Mr. Meewis proposed a possible alternate location of City Hall and Laguna Grande Park which would make for a more community oriented event, not for the whole peninsula. He requested direction from the Council regarding location, security, event length and charging for parking.

The Council asked questions from staff regarding the ability to have fireworks and the regulatory agencies that may need to be contacted, security staffing, asking for other cities to contribute to the fireworks, the traffic control and detours that would be needed and the resolution of the citations in 2018. The Council requested that we continue with the public outreach to deter fireworks, regardless of the event details.

Mayor Oglesby invited comments from the public.

- Felix Bachofner spoke in support of having the event at City Hall and that it would alleviate traffic as most residents could see it from their homes.

The Council preferred the original venue but supported having the event at City Hall only if fireworks would still be allowed, if traffic flow and security would be better and if it would reduce the cost of the event. If at the golf course, charge for parking, but either way, consider shuttles from different locations in the city. They liked the length of the event, so families with kids could enjoy the day, even if they did not stay for fireworks. They requested consideration that if there are savings for hosting at City Hall, the City could provide free food. They agreed to try to make it a more manageable event for staff.

**10. MAYOR, CITY COUNCIL, CITY MANAGER AND CITY ATTORNEY COMMENTS AND REPORTS ON COMMITTEE ASSIGNMENTS**

Council Member Campbell requested to discuss what strategies, as an entity we can use to secure our water future, and FORA implications on the agenda. He also requested to add to the next agenda consideration of a resolution supporting for the Energy Innovation and Carbon Dividend Act 1763. Mayor Oglesby requested to add to the agenda a Brown Act Avoidance protocol speaking to concerns about perceived the Brown Act violations.

**11. ADJOURNMENT**

The meeting was adjourned at 10:34

**Respectfully submitted,**

---

**Lesley Milton-Rerig, City Clerk**

---

**Ian N. Oglesby, Mayor**



**DRAFT MINUTES**  
CITY OF SEASIDE  
CITY COUNCIL

SPECIAL MEETING  
Council Chamber  
Thursday, March 14, 2019  
6:00 PM

---

**1. CALL TO ORDER**

Mayor Oglesby called the meeting to order at 6:00 PM

**2. ROLL CALL – ESTABLISHMENT OF QUORUM**

PRESENT: Campbell, Kispersky, Oglesby, Pacheco, Wizard  
ABSENT: None

**3. PUBLIC COMMENT**

Mayor Oglesby invited comments from the public and had no requests to speak.

**4. BUSINESS ITEMS**

**A. DISCUSS SUPPORT OF THE DRAFT LEGISLATIVE LANGUAGE TO IMPLEMENT 2018 FORA TRANSITION PLAN BOARD POLICY**

Mayor Oglesby explained the purpose of the meeting was due to a key vote that was happening at the Fort Ord Reuse Authority Board meeting for which he wanted Council input. As FORA is set to sunset in 2020, a transition plan has been sent to the Local Agency Formation Commission (LAFCO) for review and adoption and whom will monitor the sunset and transition. He spoke to the obligations that the jurisdictions will continue to have post FORA as outlined in the Base Reuse Plan and at this time, there is no clear way to pay for those obligations. There is \$24 million in needed funding owned by all of the land use jurisdictions including \$7 million needed for building demolition in Seaside alone. Until we have other funds coming in to replace them, this is a revenue option. He asked for the Council support for the proposed legislation that would create a Community Financing District (CFD) of which Seaside would be a member. On the dais, the City sponsored FORA fiscal analysis was available as well as the packet agenda for the FORA board meeting, which included the proposed legislation. He asked for Council input on the item.

The Council questioned what the Board structure would look like, what the voting processes would be, what the final CIP would look like, and that Seaside has the most developable land, therefor would be paying the most. They also expressed concerns that there are too many unknowns to agree to support it. Mayor Oglesby clarified that the vote is a procedural vote tomorrow to support the creation of new legislation.

Council Member Campbell disagreed with the premise laid out regarding the CFD stating the City can continue collecting developer fees and funding without joining a CFD and would not have to answer to a Board. If agreed to join, Seaside would have no direct control over collection or spending, and Seaside would lose autonomy. He also

clarified that he does not support giving away City revenues to a body that is bound by the 2020 CIP which has not yet been determined, as FORA is in contract with a consultant to develop a proposal of the full obligations. He expressed disagreement with allowing others to vote on Seaside projects, including allowing CSUMB a vote when they do not contribute any funds and has no electorate. He expressed frustration for a base reuse plan that is 20 years old and has not accomplished what they were required to accomplish.

The Council discussed the findings of the Willdan Fiscal Analysis, and the different scenarios with full and partial build out and the total dollar value of obligations under each scenario. Council Member Wizard expressed concern about the impacts to the City's CRIA that is in process of being established as they cross boundaries. He spoke to the positives and negatives for the proposed CFD, closing by saying that FORA has allowed people from outside of Seaside to influence the speed at which we do things. In 24 years, the benefits that we have received from FORA are not substantial enough to justify. Council Members Pacheco and Kisperskey also spoke in support of the City's autonomy citing they do not support that Seaside would be supporting the largest portion of the funds for the district, but would get equal representation of votes. .

Council Campbell reiterated the Fiscal Analysis provides a promising financial scenario for the City of Seaside. If this legislation goes forward, it gives the CFD the power to collect the revenues, regardless if Seaside choses to join the Board. He discouraged supporting moving the legislation forward, obligating ourselves to full build out when we don't know what the full build out will be. Council Member Wizard concurred.

Mayor Oglesby spoke to his commitment to get weigh in by the Council and keep them informed, which was the purpose of the meeting.

Mayor Oglesby invited comments from the public and had no requests to speak.

In closing Council Member Campbell requested the Council consider drafting and sending to the state legislature the position of the Council against the proposed legislation. The Council thanked the Mayor for the forum allowing them to share their perspective.

## **5. ADJOURNMENT**

On motion, the meeting was adjourned at 7:16 PM.

**Respectfully submitted,**

---

**Lesley Milton-Rerig, City Clerk**

---

**Ian N. Oglesby, Mayor**



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.B.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Kimberly Drabner, Finance Director

**DATE:** March 21, 2019

**SUBJECT: APPROVE AND FILE CITY CHECKS**

---

**PURPOSE & RECOMMENDATION**

Approve and file the accounts payable and wired payments made during the period of February 23, 2019 through March 8, 2019 including the payroll and benefits checks, direct deposits and wired payments related to the pay period of February 28, 2019. Total Accounts Payable and Payroll for the above referenced period is \$1,545,630.32.

**BACKGROUND**

In accordance with Government Code Section 37208, at each City Council meeting the Council is provided a listing of the payroll and general checks issued since the last report so that it can inspect and confirm these checks. Each purchase has been reviewed and approved by the department making the purchase at the time of procurement. The invoice has been reviewed by the Finance Department prior to payment to ensure that it conforms to the approved budget.

Therefore, in accordance with Government Code Section 37208, the above referenced, and linked list of checks conforms to the approved budget and has been paid. These checks are submitted to the City Council for inspection and confirmation.

A description of the checks and wires exceeding \$10,000 are as follows:

- \$589,781.18 for Payroll and benefits.
- \$11,332.03 to Access Monterey Peninsula Inc. for Oct-Dec 2018 PEG Fees.
- \$10,669.74 to Brownstein Hyatt Farber Schreck, LLP for December 2018 and January 2019 City Water Strategy.
- \$11,592.01 to Monterey County Petroleum for 3,070 gallons of Unleaded

- Regular Gasoline and 1,000 gallons of Diesel No. 2 fuel.
- \$10,107.11 to Wallace Group for Storm Grate Project 11/5/18 - 1/30/19; Del Monte Sewer Upgrade-JAN19; Main Gate Plan Check-JAN19; Del Monte Blvd Stormwater Diversion-JAN19.
- \$43,830.08 to Pacific Gas & Electric for Gas/electric consumption for City collective accounts (street lights, highway lighting, park lights and office buildings). Billing period: 12/25/2018 - 1/24/2019.
- \$33,246.25 to Harris & Associates, Inc. for 12/30/18-1/26/19 Lift Station Upgrade; 12/30/18-1/26/19 CIP Management Services.
- \$17,302.50 to Harris & Associates, Inc. for 1/27/19-2/23/19 Lift Station Upgrade; 1/27/19-2/23/19 CIP Management Services.
- \$22,676.95 to PNC Equipment Finance for Lease for Library and City Hall energy project; Fire admin energy project. Period covered: 2/14/19-3/13/19.
- \$21,816.51 to PNC Equipment Finance for Lease for vector truck and patch truck. Period covered: 2/7/19-3/6/19.
- \$14,698.62 to PNC Equipment Finance for Lease for 2014 PNC IT equipment; Period covered: 2/19/19-3/18/19.
- \$18,956.11 to PNC Equipment Finance for Lease for City Clerk copier, PD investigation vehicles, PD admin vehicles, fire truck and 2 Chevy Tahoes. Period covered: 1/26/19-2/25/19.
- \$42,320.00 to Torti Gallas and Partners, Inc. for Campus Town Specific Plan - December 2018.
- \$87,686.30 to Monterey One Water for FY 18/19 Regional Stormwater Management.
- \$34,433.95 to Sage Renewables Energy Consulting, Inc. for City Hall Solar Project consulting.
- \$73,633.52 to MY Jeep-Chrysler-Dodge-Ram for (2) Dodge Durango vehicles for Police Department.
- \$27,212.73 to CA Department of Tax and Fee Administration for 2017 Transaction & Use Tax (SEDG)
- \$56,691.30 to Sohagi Law Group for Campus Town Center - January 2019
- \$10,216.68 to Sohagi Law Group for Main Gate - SEP18; General Plan - SEP18; Campus Town Center - SEP18, OCT18, & DEC18
- \$11,458.75 to Sohagi Law Group for Campus Town Center - November 2018

The remaining checks, totaling \$395,967.20 include payments to vendors for operating expenditures.

The Checks report is available on the City's website here:

<http://www.ci.seaside.ca.us/194/Check-Draft-Register>

## **FISCAL IMPACT**



There are no additional fiscal impacts.

**ATTACHMENTS**

None

---

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 8.C.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Nancy Towne, Recreation Services Director  
Dan Meewis, Recreation Superintendent

**DATE:** March 21, 2019

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST  
FROM MONTEREY CONDORS CLUB**

---

### **PURPOSE & RECOMMENDATION**

Approve a request from Monterey Condors Club for a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund for the cost associated with funding tournaments and community events and purchasing trash containers.

### **BACKGROUND**

Monterey Condors Club is requesting a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund to cover the cost associated with funding tournaments and community events and purchasing trash containers.

Monterey Condors Club is a nonprofit multisport club with the mission to become a pillar to the youth of Monterey County. They are dedicated in supporting the youth in achieving their goals by providing education and training through their athletic program and clinics. Their athletic program has a diverse group of athletes of all profiles, origin, age, gender and competitive levels. Monterey Condors Club collects all the trash on the fields and benches after each practice game. They do community events to promote how important it is to recycle.

Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. Monterey Condors Club has provided documentation showing that they serves a majority of Seaside residents. This is the first time that Monterey Condors Club is requesting a donation.

### **FISCAL IMPACT**

This request would be funded by a donation from Green Waste Recovery Inc. to the Mayor's Youth Fund.

**ATTACHMENTS**

1. MYF Monterey Condors Club 2019
  2. W9 Monterey Condors Club 2019
  3. 50 (c)3 Monterey Condors Club
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

## **MAYOR'S YOUTH FUND POLICY**

**Purpose:** The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

**Eligible Applicants:** Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

**Submittal of Contribution Requests:** In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D. number) and a current W-9 form.

**Evaluation Process and Criteria:** Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

**Contribution Limits:** In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

|                     |                                                          |
|---------------------|----------------------------------------------------------|
| <u>Individuals*</u> | 25% of total cost of activity (not to exceed \$1,000.00) |
| Groups up to 20     | up to \$1,500.00                                         |
| Groups 21+          | up to \$3,000.00                                         |

In addition, funding will be limited to one contribution per year (every 12 months).

**Payment Process:** If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

### Mayor's Youth Fund Contribution Request

Prior to completing this request please review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to N. Towne, Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: Monterey Condors Club

Address: P.O. Box 415, Monterey CA 93942

Email: montereycondorsclub@gmail.com

Phone Number: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell (831) 594-2214

Name of Individual: Marco Pulido

% Residents or Students of Seaside: 99 %

# of Participants: 102

Ages: 6-18 years old

**CRITERIA** – Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:

Scholastic \_\_\_\_\_  
Athletic   X    
Music \_\_\_\_\_  
Environmental \_\_\_\_\_  
Art \_\_\_\_\_

Is funding a reward for one of these activities?

Yes

Description of event, activity or program funding pertains to: (Attach Additional Information as Necessary)

Improve the lives of our youth with sports activities. Monterey Condors club's goal is to change the life of the youth gradually advancing the style of play, always with respect and dedication. Driving to become a motivational impact in Monterey County by giving everyone the opportunity to participate and do not discriminate anyone.

Description of how the funds will be specifically used for youth groups activities/events and/or has a nexus to the goals of recycling, cleanup and/or "green" sustainability to insure a healthy environment.

Buy trash containers to collect trash after a practice or game. Collect all trash that is left behind on the fields and on beaches. Do community events to promote "green" sustainability and how important is to recycle (cans, bottles) etc. Make it clear that trash is a harm for our animals and plants.

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?

Tournaments and community events are some of our activities to fund for our programs. Other sources are funds from Community Foundation for Monterey County and West-Mark Foundation (Opportunity, Sustainability and Community)

\*Total Amount Requested: (See Contribution limits) \$ 3,000

### Funding Requirements

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.

- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

**Individual Requests:** Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

MYF Policy Revised March 2018

**MAYOR'S YOUTH FUND CLOSING REPORT \***

**Date Mayor's Youth Fund was approved by council:** \_\_\_\_\_

**Name of Organization:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email/Phone:** \_\_\_\_\_

**Amount of Donation Received:** \_\_\_\_\_

**What Items were purchased with Mayor's Youth Fund Donation:**

\_\_\_\_\_  
\_\_\_\_\_

**Please describe the activities and the date the group/individual participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**\*This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding for the following year.**



Monterey Condors Club  
P.O. BOX 415  
Monterey CA 93942  
February 27, 2019



Dear Mayor's Youth Fund

This letter indicates the final approval of seeking a grant for the amount of \$3,000 to support youth sports activities. All Monterey Condors Club board members had approved this grant application. The use of funds through-out the program is monitored by Jaewan Yun (Chief Financial Officer). Sponsors and grandmakers are welcome to attend "End Day Ceremony", which brings participants, volunteers and all members of the club to thank our sponsors and grandmakers. Date event of the ceremony will be announced a month before, and each season depending of the sport program.

Thank you Mayor's Youth Fund for considering Monterey Condors Club, on behalf of our members and participants from Seaside CA. Please call if you have any questions.

Sincerely,

Marco Pulido  
Founder

(831) 594-2214  
[montereycondorsclub.org](http://montereycondorsclub.org)  
[montereycondorsclub@gmail.com](mailto:montereycondorsclub@gmail.com)

## Sharing Montgomery Budget Worksheet

**Organization Name:**

Monterey Condors Club

**Fiscal Year Period:**

31-Dec

|                                                          | Opportunity | Sustainability | Community |
|----------------------------------------------------------|-------------|----------------|-----------|
| Budget                                                   |             |                |           |
| <b>Revenue</b>                                           |             |                |           |
| Government grants & contracts                            |             |                |           |
| Foundations                                              |             |                |           |
| Corporations                                             |             |                |           |
| Religious institutions                                   |             |                |           |
| United Way, combined federal & other federated campaigns |             |                |           |
| Individual contributions                                 |             |                |           |
| Fundraising events & products                            |             |                |           |
| Membership and program income                            |             |                |           |
| Other                                                    |             |                |           |
| Total cash revenue                                       |             |                |           |
| Total in-kind revenue                                    |             |                |           |
| <b>Total Revenue</b>                                     |             |                |           |
|                                                          |             |                |           |
|                                                          |             |                |           |
| <b>Expenses</b>                                          |             |                |           |
| Staff salary and wages                                   |             |                |           |
| Insurance                                                |             |                |           |
| Fringe benefits & payroll taxes                          |             |                |           |
| Sub-grants to partner orgs                               |             |                |           |
| Consultant and professional fees                         |             |                |           |
| Travel and meetings                                      |             |                |           |
| Equipment                                                | \$ 120.00   |                |           |
| Fields Usages                                            | \$ 680.00   |                |           |
| Staff development                                        |             |                |           |
| Printing & copying                                       | \$ 120.00   |                |           |
| IT/telephone                                             |             |                |           |
| Postage & delivery                                       | \$ 45.00    |                |           |
| Fundraising fees                                         |             |                |           |
| Other                                                    |             |                |           |
| Total cash expenses                                      |             |                |           |
| Total in-kind expenses                                   |             |                |           |
| <b>Total Expenses</b>                                    | \$ 965      |                |           |
|                                                          |             |                |           |
| <b>Revenue over Expenses</b>                             |             |                |           |

# Request for Taxpayer Identification Number and Certification

► Go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9) for instructions and the latest information.

Give Form to the  
requester. Do not  
send to the IRS.

Print or type.  
See Specific Instructions on page 3.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>1</b> Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                    |
| <b>2</b> Business name/disregarded entity name, if different from above<br><b>Monterey Condors Club</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                    |
| <b>3</b> Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only <b>one</b> of the following seven boxes.<br><br><input type="checkbox"/> Individual/sole proprietor or single-member LLC<br><br><input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership) ►<br><br><b>Note:</b> Check the appropriate box in the line above for the tax classification of the single-member owner. Do not check LLC if the LLC is classified as a single-member LLC that is disregarded from the owner unless the owner of the LLC is another LLC that is <b>not</b> disregarded from the owner for U.S. federal tax purposes. Otherwise, a single-member LLC that is disregarded from the owner should check the appropriate box for the tax classification of its owner.<br><br><input type="checkbox"/> Other (see instructions) ► | <b>4</b> Exemptions (codes apply only to certain entities, not individuals; see instructions on page 3):<br><br>Exempt payee code (if any) _____<br><br>Exemption from FATCA reporting code (if any) _____<br><br><small>(Applies to accounts maintained outside the U.S.)</small> |
| <b>5</b> Address (number, street, and apt. or suite no.) See instructions.<br><b>P.O. BOX 415</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Requester's name and address (optional)                                                                                                                                                                                                                                            |
| <b>6</b> City, state, and ZIP code<br><b>Monterey CA 93942</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                    |
| <b>7</b> List account number(s) here (optional)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                    |

## Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN*, later.

**Note:** If the account is in more than one name, see the instructions for line 1. Also see *What Name and Number To Give the Requester* for guidelines on whose number to enter.

|                                       |   |  |   |   |   |   |   |       |
|---------------------------------------|---|--|---|---|---|---|---|-------|
| <b>Social security number</b>         |   |  |   |   |   |   |   |       |
|                                       |   |  | - |   |   |   |   |       |
| <b>or</b>                             |   |  |   |   |   |   |   |       |
| <b>Employer identification number</b> |   |  |   |   |   |   |   |       |
| 8                                     | 1 |  | - | 4 | 8 | 5 | 2 | 0 6 1 |

## Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
- I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
- I am a U.S. citizen or other U.S. person (defined below); and
- The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

**Certification instructions.** You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

|                  |                            |        |
|------------------|----------------------------|--------|
| <b>Sign Here</b> | Signature of U.S. person ► | Date ► |
|------------------|----------------------------|--------|

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

**Future developments.** For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/FormW9](http://www.irs.gov/FormW9).

## Purpose of Form

An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-INT (interest earned or paid)

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: SEP 20 2017

MONTEREY CONDORS CLUB  
PO BOX 415  
MONTEREY, CA 93942

Employer Identification Number:  
81-4852061  
DLN:  
17053123334017  
Contact Person:  
DIANE M GENTRY ID# 31361  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
April 7, 2017  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.D.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Nancy Towne, Recreation Services Director  
Dan Meewis, Recreation Superintendent

**DATE:** March 21, 2019

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST  
FROM SEASIDE HIGH SCHOOL BLACK STUDENT ALLIANCE FOR  
COST ASSOCIATED WITH THEIR TRIP TO SOUTHERN  
CALIFORNIA**

---

**PURPOSE & RECOMMENDATION**

Approve a request from Seaside High School Black Student Alliance for a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund for the cost associated with their trip to Southern California.

**BACKGROUND**

Seaside High School Black Student Alliance is requesting a donation of Three Thousand Dollars (\$3000.00) from the Mayor's Youth Fund to cover the cost associated with their trip to Southern California. They will be taking tours at UC Santa Barbara, CSU Northridge, UC Los Angeles, CSU Long Beach, Occidental University, University of Southern California, UC Irvine, and UC Fullerton. The tours will help shape students of color on what college is like.

During this event they will be conducting a beach clean up. They will also be using reusable water bottles to decrease the amount of plastic they use. Based on the information provided in the application, the request meets the criteria for the Mayor's Youth Fund Policy. This is the first time that Seaside High School Black Student Alliance is requesting a donation.

**FISCAL IMPACT**

This request would be funded by a donation from Green Waste Recovery Inc. to the Mayor's Youth Fund.

**ATTACHMENTS**

1. MYF Seaside High Black Student Alliance 2019

---

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

## **MAYOR'S YOUTH FUND POLICY**

**Purpose:** The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

**Eligible Applicants:** Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

**Submittal of Contribution Requests:** In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D> number) and a current W-9 form.

**Evaluation Process and Criteria:** Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)

- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

**Contribution Limits:** In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

|                     |                                                          |
|---------------------|----------------------------------------------------------|
| <u>Individuals*</u> | 25% of total cost of activity (not to exceed \$1,000.00) |
| Groups up to 20     | up to \$1,500.00                                         |
| Groups 21+          | up to \$3,000.00                                         |

In addition, funding will be limited to one contribution per year (every 12 months).

**Payment Process:** If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

### **Mayor's Youth Fund Contribution Request**

Prior to completing this request please review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to N. Towne, Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: Black Student Alliance (BSA) Seaside high school

Address: 2200 Nache Buena

Email: vross@mpusd.net

Phone Number: Home (831) 392-3530 Work ext 2053 Cell \_\_\_\_\_

Name of Individual: Rikee Ross

% Residents or Students of Seaside: 100 %

# of Participants; 24

Ages: 15-18



|               |           |
|---------------|-----------|
| Scholastic    | <u>X</u>  |
| Athletic      | <u>  </u> |
| Music         | <u>  </u> |
| Environmental | <u>  </u> |
| Art           | <u>  </u> |

No the funding is not a reward.

The event will be taking place in southern California where we will be taking college tours. Tours will help shape students of color on what college is like.

During this event will be conducting a beach clean up. We will also be using reusable water bottles to decrease the amount of ~~plastic~~ plastic we ~~are~~ use.

Our vehicles were donated which cut the cost of transportation. We participated in a Krispy Kreme donut fundraiser. Also to add on ~~to~~ we had a plate sale fundraiser.

\*Total Amount Requested: (See Contribution limits) \$3000

- Funding is limited to one contribution per year (every 12 months).
- The Mayor's Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.

- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

**Individual Requests:** Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

MYF Policy Revised March 2018

## **MAYOR'S YOUTH FUND CLOSING REPORT \***

**Date Mayor's Youth Fund was approved by council:** \_\_\_\_\_

**Name of Organization:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email/Phone:** \_\_\_\_\_

**Amount of Donation Received:** \_\_\_\_\_

**What Items were purchased with Mayor's Youth Fund Donation:**

\_\_\_\_\_  
\_\_\_\_\_

**Please describe the activities and the date the group/individual participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**\*This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding for the following year.**

## SHS SO CAL COLLEGE CAMPUS TOUR AGENDA

4/11

5am Depart Shs  
7am - 8am Breakfast @ Denny's at Paso Robles (\$10)  
10am Arrive at UCSB  
10-1130am UCSB Campus Tour  
1pm Arrive @ CSUN  
1pm-230pm CSUN Campus tour & Lunch (\$10)  
330 pm Arrive @ UCLA  
330-500 UCLA Campus tour  
530pm Hotel Check-in (5249 W Century Blvd, Los Angeles)  
630pm in hollywood Dinner (\$20)  
9:00 evening activity(escape room \$30)

4/12

8am Breakfast @ Hotel  
9am Arrive at CSULB  
9-10:30am CSULB Campus tour  
11:00am Arrive @ Occidental  
11:00-12:30pm Occidental campus tour & Lunch(\$10)  
1:30pm-2:00pm arrive @ USC  
2:00-3:00 tour CAAM (\$5)  
3:30-5:30 venice beach  
6:00 back to hotel (5249 W Century Blvd, Los Angeles)  
7:00 dinner (\$20)  
8-10:00 pm Evening Activity (world on wheels \$15)

4/13

730am Breakfast @ Hotel  
9am arrive @ UCI  
9-11am UCI campus tour  
1130am arrive @ CSUF  
1130am-130pm CSUF campus tour & lunch (\$10)  
430pm Dinner @ Lost Hills (\$20)  
730pm Arrive at Seaside High

Food & Activity

Total per Person per day = \$150

Total w/24 = \$3510

Hotel (7 rooms)

Total both nights w/24 = \$2379

Gas & Parking

\$411

Total

\$6300

\$300 per person

Seaside High Schools Black Student Alliance is planning a trip to Southern California to visit the following universities: UC Santa Barbara, CSU Northridge, UC Los Angeles, CSU Long Beach, Occidental University, University of Southern California, UC Irvine, and UC Fullerton. We were able to go on this same trip last year with only 13 students. This trip had such a positive impact on the students; so much so that three students who were not planning on attending college made the choice to apply and attend college. This year we would like to take even more students, in order to inspire their desire to attend a university. Visiting these Universities in Southern California allows the students the opportunity to be exposed to different environments and colleges outside of Monterey County. We are meticulous in our planning because we want our students to understand what to expect in college, thus we have reached out to different organizations on campus to meet with us so they can provide a snapshot into the life of a person of color on campus. Our goal is to take 24 people on this trip for a total cost is \$6300, this cost includes transportation, gas, lodging, food, and activities. These funds will be used to rent three safe and reliable vehicles to travel along the coast of California to see these colleges. We will also be using the funds make a small donation to the CAAM museum, California African American Museum, where we will learn about our roots in California. We have also included two night time activities that focus on team building and problem solving. Other ways we are fundraising for our trip will be selling food at our food fairs, collecting donations from local businesses and participating in a donut fundraiser from Krispy Kreme. This activity will benefit Seaside by showing our youth that there is so many opportunities to be successful. Once they are exposed to the opportunities they can find their own success and bring that back to Seaside to help the community grow, as we are the future of the world.



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.E.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Nancy Towne, Recreation Services Director  
Dan Meewis, Recreation Superintendent

**DATE:** March 21, 2019

**SUBJECT: APPROVE MAYOR'S YOUTH FUND CONTRIBUTION REQUEST  
FROM LADIES FIRST FOR COST ASSOCIATED WITH THEIR  
YOUTH ACTIVITIES, WORKSHOPS, CULTURAL AND  
EDUCATIONAL OPPORTUNITIES**

---

**PURPOSE & RECOMMENDATION**

Approve the request from the Ladies First for a donation of Two Thousand Five Hundred dollars (\$2,500.00) from the Mayor's Youth Fund for costs associated with their youth activities, workshops, cultural and educational opportunities.

**BACKGROUND**

Ladies First is requesting Two Thousand Five Hundred dollars (\$2,500.00) in support of their youth activities, workshops, cultural and educational opportunities.

This year they are collaborated with Monterey Regional Waste Management District to present Seaside seniors and other community members the impact recycling can have and ways they can help. This serves as a community outreach project for the participants, which teaches youth community responsibility.

Ladies First is committed to building self-confidence in girls of color who live in low-income communities under adverse conditions. Our life-skills workshops give our girls tools to help them discover their sense of worthiness, unlocking their potential to channel their efforts in a direction towards self-reliance, healthy lifestyles and a productive future. All of this will allow them to become responsible, financially independent, contributing members in the community.

The last donation to Ladies First was in the amount of two thousand five hundred

dollar (\$2,500.00) and was approved at the November 16, 2017 City Council meeting. Based on the information provided to staff, the application meets the requirement of the Mayor's Youth Fund Policy.

### **FISCAL IMPACT**

This request would be funded by a donation from Green Waste Recovery Inc. to the Mayor's Youth Fund.

### **ATTACHMENTS**

1. MYF Request\_Ladies First 2019
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

## ***MAYOR'S YOUTH FUND POLICY***

***Purpose:*** The Mayor's Youth Fund was created to provide supplemental financial assistance to students and non-profit groups that provide services to improve the lives of young people living in the City of Seaside. A policy has been developed to standardize the evaluation of contribution requests and ensure that the funds are used appropriately to serve the City's youth.

***Eligible Applicants:*** Contributions will only be made to, or on behalf of, students or organized groups, such as schools and non-profit organizations based in Seaside and/or serving a majority of Seaside residents (50%) that are 18 years old or younger or enrolled in high school. Faith based organizations may apply for contributions from the Mayor's Youth Fund if the funding is not used to support religious activities such as worship, Sunday School, or religious instruction. In addition, activities funded by the Mayor's Youth Fund must be open to all persons without regard to their religious affiliation.

***Submittal of Contribution Requests:*** In order to request a contribution, the following information must be provided in writing:

- Name of the organization, person(s) benefiting, proposed use of the funds, total amount needed or fundraising goal.
- Description of other methods being used to raise funds and/or other contributors.
- An explanation of how the group, activity, or event will benefit Seaside youth.
- Written description of how the use of the funds will be specifically used for youth group activities/events and/or has a nexus to the goals related to recycle, cleanup, and "green" sustainability to ensure a healthy environment.
- How this request will provide a municipal benefit (ie., benefit the community).
- Proof of non-profit organizations status (not a taxpayer's I.D> number) and a current W-9 form.

***Evaluation Process and Criteria:*** Contributions can only be made if approved by the City Council. Funding requests will be evaluated based on their consistency with this policy, including the following criteria.

- Scholastic, athletic, music, environmental and art activities will be considered for funding based on the quality of the proposed activity.
- Evidence of activities/events related to "reduce, reuse and recycle" to ensure a healthy environment.
- Contributions requests will be accepted from individuals and can be made to an organization on behalf of an individual member or student.
- Contributions are only paid to organizations, such as non-profit groups and schools.
- Contributions are intended to fund actual costs related to an event or activity. (Please see "Payment Process" information provided below.)



- Contributions from the Mayor's Youth Fund are not intended to be the sole source of funds for an organization or program and will only be made to supplement other fundraising activities.
- How this request will provide a municipal benefit (ie., benefit the community).

**Contribution Limits:** In order to equitably distribute funds available in the Mayor's Youth Fund, the following contribution guidelines have been developed, although all contributions are subject to the discretion of the City Council.

|                     |                                                          |
|---------------------|----------------------------------------------------------|
| <u>Individuals*</u> | 25% of total cost of activity (not to exceed \$1,000.00) |
| Groups up to 20     | up to \$1,500.00                                         |
| Groups 21+          | up to \$3,000.00                                         |

In addition, funding will be limited to one contribution per year (every 12 months).

**Payment Process:** If a contribution is approved by the City Council, payment will be made to the authorized organization or directly to the vendor selected by the authorized organization after submittal of a receipt or the presentation of actual invoices. No funding can go directly to an individual. This process is required in order to provide documentation required to meet municipal auditing standards.

###

### **Mayor's Youth Fund Contribution Request**

Prior to completing this request please review the attached contribution policy. All requests will be considered before the City Council and you will be notified of the specific date your item is placed on the agenda. Please return this completed form with necessary attachments to N. Towne, Recreation Services, City of Seaside, 440 Harcourt Avenue, Seaside, CA 93955.

Name of Organization: Ladies First

Address: P.O. Box 954, Seaside, CA 93955

Email: ladiesfirstca@gmail.com

Phone Number: Home \_\_\_\_\_ Work \_\_\_\_\_ Cell 831 869 8053

Name of Individual: Annalisa Mitchell

% Residents or Students of Seaside: 100 %

# of Participants: 15-23

Ages: 10-16

**CRITERIA** – Applicants must meet at least one of the following criteria to be eligible for funding. Please select one or more from the following list:

Scholastic \_\_\_\_\_  
Athletic \_\_\_\_\_  
Music \_\_\_\_\_  
Environmental   X    
Art \_\_\_\_\_

Is funding a reward for one of these activities?

  No  

**Description of event, activity or program funding pertains to: (Attach Additional Information as Necessary)**

In the past some of our girls have taken a tour of the Waste Management Facility in Marina. This resulted in the girls deciding to have a recycling campaign. Ladies First also coordinated a beach cleanup and environment sustainability lecture. In partnership with California State University, Monterey Bay. This year we have collaborated with Monterey Regional Waste Management District to present to Seaside seniors, and other community members the impact recycling can have and ways they can help. This serves as a community outreach project for the participants, which teaches youth community responsibility. This event will include refreshments.

**Description of how the funds will be specifically used for youth groups activities/events and/or has a nexus to the goals of recycling, cleanup and/or “green” sustainability to insure a healthy environment.**

Ladies First is committed to building the self-confidence in girls of color who live in low-income communities under adverse conditions. Our life-skills workshops give our girls tools to help them discover their sense of worthiness, unlocking their potential to channel their efforts in a direction towards self-reliance, healthy lifestyles and a productive future. All of this will allow them to become responsible, financially independent, contributing members in the community. The funds will be for youth activities, workshops, cultural and educational opportunities.

What other fundraising activities are you participating in to fund your event, program or activity and what other funding sources will supplement your request?

Annual Ladies First Fashion Show Fundraiser, Private donations Local businesses Service organizations

\*Total Amount Requested: (See Contribution limits)   \$2,500.00  

### **Funding Requirements**

- Funding is limited to one contribution per year (every 12 months).
- The Mayor’s Youth Fund Closing Report Form must be submitted to staff at least 60 days upon completion of the event, activity or program. Applicants that do not furnish the form may not apply for funds for the following year.
- A representative from the organization is required to be at the Council meeting for their application to be heard. If no representative is present then the agenda item will be postponed to another City Council meeting upon notification by the applicant.

- Incomplete applications will not be forwarded for Council consideration; applications not answering the question related to reduce, reuse or recycle are considered incomplete.

**Individual Requests:** Please attach an itemized list of all expenses. Amount of donation may not exceed 25% of the total cost of the activity and not exceed \$1,000.00. Applications that are incomplete will be returned.

MYF Policy Revised March 2018

**MAYOR'S YOUTH FUND CLOSING REPORT \***

**Date Mayor's Youth Fund was approved by council:** \_\_\_\_\_

**Name of Organization:** \_\_\_\_\_

**Contact:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Email/Phone:** \_\_\_\_\_

**Amount of Donation Received:** \_\_\_\_\_

**What Items were purchased with Mayor's Youth Fund Donation:**

\_\_\_\_\_  
\_\_\_\_\_

**Please describe the activities and the date the group/individual participated in related to reduce, reuse and recycle? Please provide written description, brief City Council presentation, and/or photos.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Signature:** \_\_\_\_\_

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

**\*This form is due 60 days upon receipt of funding by the applicant. Organizations that do not comply within the 60 day time period may not apply for funding for the following year.**



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.F.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Dan Meewis, Recreation Superintendent  
Ashley Collick, Youth Violence Prevention Coordinator

**DATE:** March 21, 2019

**SUBJECT: CONSIDER CO-SPONSORSHIP AND A FEE WAIVER FROM  
COMMUNITY HUMAN SERVICES FOR THE USE OF THE LAGUNA  
GRANDE HALL FOR THEIR NARCAN DISTRIBUTION EVENT**

---

**PURPOSE & RECOMMENDATION**

Approve a co-sponsorship and fee waiver request from the Community Human Services for the Laguna Grande Hall to hold their Narcan Distribution Event in the amount of Two hundred, Sixty-Four dollars and Thirty-Eight cents (\$264.38).

**BACKGROUND**

Community Human Services (CHS) is a member of the City of Seaside's Blue Ribbon Committee and are requesting a fee waiver to help cover the cost associated with their Narcan Distribution Event on Wednesday, May 01, 2019 from 6:30 p.m. to 9:00 p.m. in the Laguna Grande Hall at the Oldemeyer Center. They are a non-profit organization that provides substance abuse and mental health services to youth and families in Monterey County including co-sponsorship of the Parent University event held for the last three years in Seaside. CHS works to address the root causes of domestic violence, mental illness, emotional health, homelessness, child abuse etc., helping people who may not have the tools to solve their own problems.

**FISCAL IMPACT**

Should the City Council approve the full fee waiver request the approximate fiscal impact is as follows:

|                               |                      |          |
|-------------------------------|----------------------|----------|
| Laguna Grande Hall Rental Fee | 2.5 Hours @ \$105.75 | \$264.38 |
|-------------------------------|----------------------|----------|

|                        |                 |
|------------------------|-----------------|
| Non-Refundable Deposit | \$147.81        |
| <b>TOTAL</b>           | <b>\$412.19</b> |

Should the City Council approve the request with the staff recommendation to waive all rental fees but require payment for the non-refundable deposit only, the fiscal impact is \$264.38.

### **ATTACHMENTS**

1. Community Human Services Fee Waiver 2019
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager



# City of Seaside FEE WAIVER REQUEST

Name of Applicant Shawn Stone Organization Community Human Services  
Address 1083 South Main Street Seaside CA 93901  
Street City State Zip  
Home Phone 831-424-4828 Cell Phone 831-236-2694 Email Address SSStone@CHSservices.org

Room(s) Requested Laguna Grande Hall

Day(s) and Date(s) Requested 5/1/19

Hours Requested (include set-up time) 6:30 - 9:00 p.m. Estimated Attendance 200

Description of Event Provide opiate education, safe prescription practices, narcotic education and distribution up to 180

Special Instructions or Equipment to Be Brought In police, microphones/speakers, projector screen, etc.

## Reason for Requesting Fee Waiver

We are a non-profit organization, we want to provide this free event including  
the free distribution of \$13,500 worth of Narcan to the community, as  
well as educate and inform the community of safe prescription practices

Have you received a Fee Waiver in the past? Yes ☒ No ☐

If so, what was the date of your event? 4 years ago

Is your organization based in Seaside? Yes ☒ No ☐

What percentage of your members or participants resides in Seaside? 15-20%.

What is your organization's tax identification number? 94-6367167

Is organization able to provide liability insurance? yes

Will alcohol be served or sold at your event? Yes ☐ No ☐

Applicant Signature SS Date \_\_\_\_\_

City of Seaside is a  
member of the Community  
Human Services  
Joint Powers Agency (JPA).

|          |                     |
|----------|---------------------|
| APPROVED | FOR OFFICE USE ONLY |
| DATE     | DATE                |
| BY       | BY                  |
| BY       | BY                  |
| BY       | BY                  |

Revised 5/12

## **POLICY REGARDING ROOM RENTAL FEES AND WAIVERS**

Fees may be waived for activities that benefit the majority of Seaside residents. Any new organizations requesting fee waivers are required to submit a letter of intent and complete the Fee Waiver Request form to the Recreation Services Department. The application will be submitted to the City Manager or his designee for review and approval. In the event that the fee waiver request is denied by the City Manager, the request can be appealed to the City Council. Applicants must demonstrate that the following criteria are satisfied:

1. At least 60% of the organization's membership must consist of Seaside residents. The organization must provide documentation verifying membership residency.
2. The organization must be a 501(c)(3) non-profit or public benefit organization and provide taxpayer identification number.
3. The organization must provide an in-kind service/donation to benefit and augment the City of Seaside. A written statement must be submitted with the application outlining specific donations and/or services provided by the organization to the City of Seaside.

### **FEE WAIVERS FOR MEETING ROOMS**

1. Meetings are limited to four hours.
2. All organizations receiving fee waivers must give seven days notice of cancellation. If no notice is given of cancellation, the City reserves the right to deny further fee waiver requests.
3. Due to limited space, organizations may not request fee waivers for any more than one meeting room use per year; fee waivers are not intended to provide for ongoing weekly or monthly meeting use.
4. No faith based organizations may apply for fee waivers due to the separation of church and state.

### **AUDITORIUM RENTAL FEE WAIVER**

Organizations requesting the use of the Auditorium must:

1. Pay the non-refundable portion of the deposit per event.
2. An organization requesting use of the auditorium for a special event or meeting may receive no more than one fee waiver request within a 90-day period.
3. Provide special event liability insurance. The following is required:
  - a. Provide an "Occurrence Made" liability insurance policy, naming the city as additionally insured, with limits of \$1 million per occurrence and \$2 million aggregate. A copy of that policy must be provided to the Recreation Services Department.
  - OR
  - b. Purchase Special Event Liability insurance through the Recreation Services Department at the time of fee waiver request. This insurance covers not only the city, but also those renting the facility.
4. Fundraising activities of any nature do not qualify for fee waivers.
5. Special events may be required to provide security at renter's expense. A photocopy of the contract must be on file with the Recreation Services Department. The number of security guards required is determined by the nature of the event and the numbers in attendance.

**\*A City-sanctioned organization is defined as "any community based group or organization that in cooperation with the Recreation Services Department, provides an entertainment, recreation and/educational service benefiting the citizens of Seaside."**

**\*\*All deposits are placed in the maintenance and janitorial fund designated for the upkeep and repair of the Oldeneyer Center.**

Revised 5/12





# SEASIDE CALIFORNIA

**Facility Rental Request Form**  
Parks and Recreation Division  
986 Hilby Avenue, Seaside CA 93955  
831-899-6800

## CONTACT INFORMATION:

Organization: Community Human Services  
Name of Applicant: Shawn Stone  
Address: 1083 South Main Street City: Salinas State: CA  
Phone: 831-236-2694 Email: SSStone@chservices.org  
Day of Event Contact Name and Phone: Shawn Stone, 831-236-2694  
☒ Resident ☐ Non-Resident

## EVENT INFORMATION:

Event Title: Narcos Distribution Townhall  
Event Description: Provide opiate education, safe prescription practices, narcotic education and distribution up to 180  
Event Date: 5/1/19 Approximate Number of Guests: 200  
Start Time: 6:30 pm End Time: 9:00 pm Set Up/Break Down Time: 6:30-7:30 pm + 8:30-9 pm  
Special Instructions: \_\_\_\_\_

Request to use the City's: ☒ Podium ☒ Microphone ☒ Projector Screen  
\*Subject to availability \*\*Projectors and other electronic equipment will not be provided

|                                     | Yes                                 | No                                  |                                                 | Yes                                 | No                                  |
|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------------------|-------------------------------------|-------------------------------------|
| Are you a non-profit organization?  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Will refreshments be served?                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Is the event open to the public?    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Will refreshments be sold?                      | <input type="checkbox"/>            | <input type="checkbox"/>            |
| Will admission be charged?          | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Will you be using the kitchen?                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| Will there be music?                | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Will alcohol be served?                         | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Will there be live music and/or DJ? | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Will alcohol be sold?                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| Name of band or DJ: <u>n/a</u>      |                                     |                                     | *Alcohol is prohibited at youth oriented events |                                     |                                     |

## APPLICANT WILL PROVIDE THE FOLLOWING ITEMS 30 DAYS PRIOR TO THE EVENT:

1. Full payment of all applicable fees
2. Copy of event security contract by licensed company (if applicable)
3. Proof of liability insurance
4. Copy of ABC license (if applicable)



# SEASIDE CALIFORNIA

**Facility Rental Request Form**  
Parks and Recreation Division  
986 Hilby Avenue, Seaside CA 93955  
831-899-6800

## FACILITY SELECTION

### ☐ LAGUNA GRANDE HALL

Capacity: Dining: 225 / Theatre: 300  
Dimensions: 128' X 120'

|                  | Resident   | Non-Res    |
|------------------|------------|------------|
| Hourly Rate      | \$105.75   | \$131.50   |
| Deposit          | \$591.25   | \$738.75   |
| (Non Refundable) | (\$147.81) | (\$184.68) |
| Alcohol Deposit  | \$575.50   | \$719.50   |
| (Non Refundable) | (\$143.87) | (\$179.87) |

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using Hall only
- ☐ I will be using Hall & Kitchen only
- ☐ I will be using Hall, Kitchen & Dance Studio

### ☐ BAYONET MEETING ROOM

Capacity: Classroom: 30 / Theatre: 40  
Dimensions: 24' X 20'

|                  | Resident    | Non-Res     |
|------------------|-------------|-------------|
| Food Deposit     | \$150       | \$187.50    |
| (Non Refundable) | (\$37.50)   | (\$46.75)   |
| Rate 0-3 hr      | \$43.75 /hr | \$55 /hr    |
| After 3 hrs      | \$20 /hr    | \$24.50 /hr |

### ☐ BLACKHORSE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 50  
Dimensions: 28' X 26'

|                  | Resident    | Non-Res     |
|------------------|-------------|-------------|
| Food Deposit     | \$150       | \$187.50    |
| (Non Refundable) | (\$37.50)   | (\$46.75)   |
| Rate 0-3 hrs     | \$54.50 /hr | \$68 /hr    |
| After 3 hrs      | \$24 /hr    | \$29.75 /hr |

### ☐ DANCE STUDIO

Capacity: Classroom: 35 / Theatre: 70  
Dimensions: 26' X 24'

|                  | Resident    | Non-Res     |
|------------------|-------------|-------------|
| Food Deposit     | \$150       | \$187.50    |
| (Non Refundable) | (\$37.50)   | (\$46.75)   |
| Rate 0-3 hr      | \$68 /hr    | \$84.75 /hr |
| After 3 hrs      | \$31.25 /hr | \$39.25 /hr |

### ☐ SEAHORSE MEETING ROOM

Capacity: 20 / Dimensions: 28' X 16'

|              | Resident    | Non-Res     |
|--------------|-------------|-------------|
| Rate 0-3 hrs | \$43.75 /hr | \$55 /hr    |
| After 3 hrs  | \$20 /hr    | \$24.50 /hr |

### ☐ SEASIDE MEETING ROOM

Capacity: Classroom: 40 / Theatre: 60  
Dimensions: 32' X 26'

|                  | Resident    | Non-Res     |
|------------------|-------------|-------------|
| Food Deposit     | \$150       | \$187.50    |
| (Non Refundable) | (\$37.50)   | (\$46.75)   |
| Rate 0-3 hr      | \$43.75 /hr | \$55 /hr    |
| After 3 hrs      | \$20 /hr    | \$24.50 /hr |

### ☐ SEASIDE COMMUNITY CENTER

Capacity: Dining: 85 / Theatre: 100  
Dimensions: 128' X 120'

|                  | Resident   | Non-Res    |
|------------------|------------|------------|
| Hourly Rate      | \$56       | \$70.25    |
| Deposit          | \$314      | \$392.50   |
| (Non Refundable) | (\$78.50)  | (\$98.25)  |
| Alcohol Deposit  | \$575.50   | \$719.50   |
| (Non Refundable) | (\$143.87) | (\$179.87) |

Liability Insurance: \$81-\$207

Security Guards: required 1 per 50 guests

- ☐ I will be using the Large Room only
- ☐ I will be using the Kitchen only
- ☐ I will be using the Large Room & Kitchen

### ☐ YOUTH EDUCATION CENTER

Two hour rentals: available Fridays and Saturdays 7:30-9:30 PM, and Sundays for any two hours between 8 AM - 9 PM.

|                  | Resident | Non-Res  |
|------------------|----------|----------|
| Deposit          | \$83     | \$103.50 |
| (Non Refundable) | (\$21)   | (26)     |
| 0-25 Guests      | \$172    | \$215    |
| 26-50 Guests     | \$188.50 | \$235    |
| 51-75 Guests     | \$223    | \$278.50 |
| Mini Golf        | \$25     | \$31     |
| Extra ½ Hour     | \$38     | \$47.50  |

**Non-Profit Rate:** For Laguna Grande Hall, Seaside Community Center, and the Youth Education & Resource Center, non-profits may use the resident rate. For all other meeting rooms, non-profits may have up to 4 hours for \$31.75. Proof of 501(c)(3) required.



**SEASIDE  
CALIFORNIA**

## Facility Rental Request Form

Parks and Recreation Division  
986 Hilby Avenue, Seaside CA 93955  
831-899-6800

### SEATING CONFIGURATION

Review and select a seating configuration below. If you would like a different layout, please sketch your preferred layout in the box marked "other" or on the back of this sheet.

|                                              |                                      |                                      |                                 |
|----------------------------------------------|--------------------------------------|--------------------------------------|---------------------------------|
| <input type="radio"/> Classroom<br>          | <input type="radio"/> Conference<br> | <input type="radio"/> U-Shaped<br>   | <input type="radio"/> Pods<br>  |
| <input checked="" type="radio"/> Theater<br> | <input type="radio"/> Banquet<br>    | <input type="radio"/> Empty Room<br> | <input type="radio"/> Other<br> |

↓  
with  
center  
aisle if  
possible

I have read and agree to all pages in the rental agreement forms

Applicant Signature: Robin Melue

Date: 2/25/19

(For Office Use Only)

Permit Fee: \_\_\_\_\_

Authorized Agent: \_\_\_\_\_

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

Note: - Original to Resource Management/Recreation Department  
- Copy to Police Department - Copy to Parks Division



**SEASIDE  
CALIFORNIA**

# Facility Rental Request Form

Parks and Recreation Division  
986 Hilby Avenue, Seaside CA 93955  
831-899-6800

## RULES, REGULATIONS & CONDITIONS OF USE

1. **OVERTIME:** Use of the facilities in excess of the time set forth above may result in overtime fee being charged.
2. **CANCELATION BY PERMITTEE:** Permittee must submit written notice of cancellation to the calendaring agent in order to be eligible for a refund. Refund requests made forty-five (45) days in advance will receive a full refund less a seven dollar (\$7) surcharge. Refund requests made thirty (30) - forty-five (45) days in advance will receive a full refund less the non-refundable portion of the security deposit. Refund requests made less than thirty (30) days in advance will receive a full refund less the entire security deposit.
3. **CANCELATION BY CITY:** This permit may be canceled without liability to the City under any of the following conditions: a) It is found to contain false or misleading information, (b) The Department finds that the proposed use will be detrimental to the public's health, (c) Any individual or group (members or guests) willfully or through negligence mistreats the equipment or violates any of the regulations, terms, and conditions established for use of the facilities, (d) Average attendance of scheduled activities falls below the standard established for each use area with the Center, (e) For failure to notify Center of cancellation of any date or dates covered by this permit, (f) Permittee defaults on or has not completed all conditions and requirements for use of facilities, (g) In case the Center or any part thereof shall be destroyed or damaged by fire or any other cause, or if other unforeseen occurrence, including strikes, labor disputes, war, or acts of military authorities shall render fulfillment of the permit difficult or impossible of performance, (h) The facility is needed by public necessity or emergency use, (i) Upon thirty (30) calendar days written notice to Permittee. Refund of rental fees shall be made where City cancels permit at least thirty (30) days prior to the date reserved, except when cancellation occurs under items (g) or (h) above.
4. **TRANSFERRING PERMIT:** Permit cannot be transferred, assigned, or sublet unless approved by the City in writing.
5. **ADVERTISING, SOLICITATION AND SALES:** No advertising or signs shall be exhibited and no sales made at the Center without the written permission of the City.
6. **COMPLETION OF REQUIREMENTS FOR USE OF FACILITIES:** Permittee must complete all requirements relating to use of the facilities within the time requirements specified.
7. **COMPLIANCE TO CONDITIONS OF USE:** The Permittee shall observe, obey, and comply with all applicable City, County, and Federal laws; and the policies, rules, regulations, terms, and conditions governing use of Center facilities. Permittee will forfeit all rents or other fees paid if evicted from premises for violation of it. Eviction shall not release Permittee from any obligations for the payment of the rents or other fees required to be paid under this permit for the term thereof.
8. **CONCESSION SALES:** Permittee will not engage in concession operations unless authorized in writing by Director/authorized staff.
9. **CONDUCT OF PERSONS:** Permittee shall be solely responsible for the orderly conduct of all persons using the premises by its invitation, either express or implied, during all times covered by the permit. The Department reserves the right to eject or cause to be ejected from the premises any person or persons objectionable due to unlawful conduct.
10. **DAMAGE TO FACILITY OR EQUIPMENT:** All property, equipment, and furnishings must be kept clean and undamaged, fair wear and tear accepted. Permittee causing damage or loss will be required to pay for same at current costs.
11. **EXITS:** At no time shall exits be covered or obstructed.
12. **FACILITIES CAPACITY:** Permittee shall not admit a larger number of persons than can be safely and freely moved about therein as determined by Building and Fire Codes.
13. **FLAMMABLE MATERIALS:** No flammable materials will be permitted to be used for decorations. All materials used for decorative purposes must be treated with flame proofing and be approved by the Fire Department.
14. **INDEMNITY:** Permittee shall indemnify and hold harmless by the City, its officers, employees, and agents, against any and all claims, demands, causes of action, personal injuries or death, damages whatsoever, directly or proximately resulting or caused by the use and occupation of the facilities described in the permit, whether such use is authorized or not or from act or omission of Permittee or any of its officers, agents, employees, guests, patrons, or invitees, and the Permittee shall, at its sole risk and expense, defend any and all suits, actions, or other legal proceedings which may be brought or instituted against City, its officers and employees, on any such claim, demand, or cause of action, and the Permittee shall pay any judgment or decree which may be rendered against the city, its officers, employees, and agents in any suit, action or other legal proceedings, and Permittee shall pay for any and all damages to the property of the City or of others, the loss or theft of such property, done or caused by Permittee, its officers, agents, employees, guests, patrons, and invitees.
15. **PAYMENT OF TAXES:** Payment of all Federal, and City taxes in connection with the event shall be the liability and responsibility of the Permittee.
16. **PERMITTEE RESPONSIBLE FOR CLEANLINESS OF FACILITY:** Facilities used by Permittee must be left in a clean and orderly condition. If additional maintenance is required, other than normal cleaning process, the Permittee will be charged for same.
17. **PERMITTEE RESPONSIBLE FOR PERMITS AND LICENSES:** The Permittee shall procure at his own expense all the required licenses and permits necessary for the intended use or activity covered by this permit.
18. **ALCOHOL:** No alcohol can be served to minors or at any youth-related event at the Oldemeyer Center or Seaside Community Center and can result in immediate closure of the event and loss of deposit. ALL alcohol is prohibited at ALL youth oriented events.
19. **SMOKING:** Smoking is prohibited within twenty (20) feet of entrances, exits and windows.
20. **USE OF RESERVED FACILITIES AND EQUIPMENT:** Permittee may use only those facilities and equipment specifically designated on this permit.
21. **CONSTRUCTION OF PERMIT:** In case of any doubts as to the interpretation of any provisions of this permit, the interpretation by the Recreation and Community Activities Director shall prevail. In addition, the Recreation and Community Activities Director shall have the sole power to decide and resolve matters not covered by this permit.



**SEASIDE  
CALIFORNIA**

## **Facility Rental Request Form**

**Parks and Recreation Division**

**986 Hilby Avenue, Seaside CA 93955**

**831-899-6800**

22. **SEVERABILITY:** If any part of this permit is for any reason held to be illegal, inapplicable, unenforceable, or unconstitutional, such decision shall not affect the validity of the remaining portions of the permit.
23. **SECURITY AND CLEANING DEPOSIT:** A deposit is required from any person or organization renting a room at the Center (according to current fees and charges). A portion of the deposit is non-refundable (according to current fees and charges) and the remaining deposit is refundable in whole or in part depending upon the condition of the room, walls, floors, carpets; whether any breakage occurred or whether overtime was incurred beyond stated setup, cleanup or activity time. The City reserves the right to close down any party or activity that may in any way endanger the health or safety of any person or property. Any early closure of the facility may result in loss of deposits. Refundable deposits will be returned within thirty (30) days following the event date.
24. **SUPPLIES:** City staff is not authorized to provide supplies for your event. 25. **SECURITY GUARDS:** One guard per fifty participants is required for events that serve alcohol and/or have live/DJ music or dancing. The City reserves the right to require security for events.

### **IMPORTANT THINGS TO NOTE**

- ✓ In order to secure a reservation, this form must be completed and submitted along with full payment to the Oldemeyer Center front desk.
- ✓ Reservations for the conference rooms must be made at least 7 days in advance and 30 days in advance for all other facilities.
- ✓ Please include a sketch of how you would like the room to be set up if it is different than the diagrams provided on this form. Our facility staff will do their best to prepare the room as shown in your diagram. Do not write "same as before."
- ✓ Food and beverage are allowed in certain rooms; please ask staff prior to providing refreshments.
- ✓ Do not move furniture from one room to another. If you have additional needs, please contact the facility staff.
- ✓ Please do not change rooms. If a different room is preferred and empty upon arrival, please check with the facility staff.
- ✓ Come prepared. Our staff is not authorized to provide supplies for your meeting.
- ✓ If you tape signs up regarding your meeting, please remove them upon your departure.
- ✓ Smoking is prohibited within 20 feet of entrances, exits and windows.
- ✓ In case of cancelation, please notify the Oldemeyer Center Front Office as soon as possible. Refund requests made 48 hours in advance will receive a full credit towards future use, or a full refund less a \$7 surcharge. Refunds will not be given less than 48 hours in advance.
- ✓ \*If alcohol is found on the premises (including the parking lot, stage, kitchen, etc.) and your contract prohibits the consumption of alcohol, the City of Seaside has the right to cancel your event and deposits and fees will NOT be refunded.
- ✓ \*A one million dollar (two million aggregate) liability insurance policy is required. You can either purchase it through the city, or through another insurance company and provide us a copy of the policy naming the City of Seaside as co-insured.
- ✓ Use of our facilities requires you to provide licensed and bonded security guards. You must hire one guard per every fifty guests. A copy of the contract must be provided to the city at least 30 days prior to your event. Renters exceeding their stated attendance risk losing their deposit.



**CITY OF SEASIDE  
STAFF REPORT**

**Item No.: 8.G.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Nancy Towne, Recreation Services Director  
Dan Meewis, Recreation Superintendent

**DATE:** March 21, 2019

**SUBJECT: APPROVE A RESOLUTION AUTHORIZING THE CLOSURE OF DEL MONTE AVENUE TO THROUGH TRAFFIC FROM TIOGA AVENUE TO LITHIA DETAIL FOR THE PORSCHE MONTEREY CLASSIC PARTNER EVENT ON AUGUST 12, 2019**

---

**PURPOSE & RECOMMENDATION**

Approve a resolution permitting the closure of Del Monte Avenue to through traffic from Tioga Avenue to Lithia Detail (see attached map) to ensure public safety during the Porsche Monterey Classic Partner Event on Monday, August 12, 2019.

**BACKGROUND**

Porsche Monterey will be holding their Classic Partner Event on Monday, August 12, 2019 from 9:00 a.m. to 10:00 p.m. The majority of the event will take place on Porsche property. They are requesting the closure of Del Monte Avenue from Tioga Avenue to Lithia Detail for their Porsche display. The closure of Del Monte Avenue from Tioga Avenue to Lithia Detail will greatly enhance this event and will allow for greater safety for the participants.

If the City Council approves the request for closure of Del Monte Avenue from Tioga Avenue to Lithia Detail on Monday, August 12, 2019 between the hours of 9:00 a.m. to 10:00 p.m. staff recommends the following conditions be met:

1. Obtain an ABC License for the event.
2. Submit a temporary traffic control plan and temporary traffic detour plan prepared by a registered traffic engineer. Reviewed and approved by Public Works.
3. Organization to provide insurance coverage of the event.

4. Pay all city related costs. See Cost Estimate.

### **FISCAL IMPACT**

Cost Estimate for staff time and resources: \$4,700.00. See attached.

### **ATTACHMENTS**

1. Resolution Porsche Monterey Classic Partner Event 2019
  2. Special Event Applicatio - Porsche Monterey - Classic Partner Event
  3. Map of Del Monte Avenue Closure
  4. Porsche EVent Cost Estimate
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE  
APPROVING THE CLOSURE DEL MONTE AVENUE TO THROUGH TRAFFIC  
FROM TIOGA AVENUE TO LITHIA DETAIL**

**WHEREAS**, Porsche Monterey will be holding their Classic Partner Event that is open to the public;

**WHEREAS**, the closing of Del Monte Avenue from Tioga Avenue to Lithia Detail is necessary between the hours of 9:00 a.m. and 10:00 p.m. on August 12, 2019 to insure the safety of the public;

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Seaside hereby approves the closure of Del Monte Avenue from Tioga Avenue to Lithia Detail to ensure the safety of the public using this portion of roadway during this event.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Seaside duly held on the 21st day of February 2019 by the following vote:

|          |                  |
|----------|------------------|
| AYES:    | COUNCIL MEMBERS: |
| NOES:    | COUNCIL MEMBERS: |
| ABSENT:  | COUNCIL MEMBERS: |
| ABSTAIN: | COUNCIL MEMBERS: |

---

Ian Oglesby, Mayor

ATTEST:

---

Lesley Milton-Rerig, City Clerk



## SPECIAL EVENT APPLICATION

***Incomplete or illegible applications will not be processed. An application for a permit is NOT a permit.***

ORGANIZATION NAME Porsche Monterey  
MAILING ADDRESS 1781 Del Monte Blvd, Seaside, 93955  
CONTACT NAME Kath Enea PHONE# 409.723.1605  
PHONE# Aaron Zielinski (GM) : 708.212.5557

Names and phone numbers of person(s) in charge of the event who can be contacted on a 24-hour basis during the event.

EMAIL: Katieneae@lithia.com

EVENT NAME: Classic Partner Event

**Event Category**        Athletic/Recreation        Concert/Performance        Circus  
  X   Celebration/Festival        Parade/Procession/March        Dance  
       Carnival        Other

|              |                     |                  |
|--------------|---------------------|------------------|
| Setup        | Date <u>8/12/19</u> | Time <u>9am-</u> |
| Event Starts | Date _____          | Time _____       |
| Event Ends   | Date _____          | Time _____       |
| Dismantle    | Date <u>↓</u>       | Time <u>10pm</u> |

**SITE LOCATION** Del Monte Ave Closure from Tioga past  
Lithia Detail (See highlighted map)

**DESCRIPTION OF EVENT-PLEASE ATTACH SITE/ROUTE MAP**

Please provide detailed description of your event. Include details regarding any components of your event such as the use of vehicles, animals, rides, sanitation provisions or any other pertinent information about the event.

The majority of the event will take place on Porsche property. We are requesting the space on Del Monte to use as space for Porsche vehicle display. People will be assigned designated parking for display.

## SAFETY/SECURITY/ACCESSIBILITY

**Please describe your procedures for crowd control and internal security**

Our staff will oversee the event.

## NAME OF SECURITY ORGANIZATION (If required)

**Please attach security contract.**

none

## SIGNS POSTED

# OF PARTICIPANTS 750-1000

IS THE EVENT OPEN TO THE PUBLIC? ☒ YES ( ) NO

If no, please describe how the event will be restricted and indicate plan on detailed schematic.

IF ADMISSION IS TO BE CHARGED, WHAT IS THE PRICE OF TICKETS FOR THE EVENT? 0

( ) NON-PROFIT 501 C(3) ( ) 501 C(6) ( ) COMMERCIAL-FOR PROFIT

( ) OTHER

Federal ID# \_\_\_\_\_

Event Benefiting: \_\_\_\_\_

WHAT CITY SERVICES DO YOU ANTICIPATE YOU WILL NEED? (IE., POLICE, FIRE, RECREATION, PUBLIC WORKS, ETC.)

none

METHOD OF TRASH COLLECTION/DISPOSAL AND PROVISION FOR ADDITIONAL SANITARY FACILITIES

We will use our on-site disposal facilities.

PARKING ARRANGEMENTS:

Public Parking Needs

Space requested will assist with parking.

SPECIAL EQUIPMENT TO BE USED FOR PROPOSED EVENT. LIST ALL ELECTRICAL NEEDS YOU MAY REQUIRE

None

( ) P.A. System

( ) Generator(s)

( ) Amplified sound/music

( ) Booths

( ) Bleachers

( ) Cooking fuel

( ) Tents

( ) Banners

( ) Barricades

( ) Other \_\_\_\_\_

DO YOU INTEND TO SELL FOOD OR BEVERAGE?

( ) YES ☒ NO

If YES, please attach Health Department Food Vendor Certificate.

DO YOU INTEND TO SELL OTHER MERCHANDISE?

( ) YES ☒ NO

# of Vendors \_\_\_\_\_

Seaside, CA 93955  
(831) 899-6801 (P)  
(831) 899-6274 fax  
email: townenancy@ci.seaside.ca.us

**Specific Event  
Conditions of Approval**

- Event organizers must clean up any event-related trash.
- All event noise or sound must be kept to a minimum, particularly before 9:00 a.m. and must not create an annoyance to co-existing events.
- Permittee is responsible for the actions of all vendors and participants during the event.
- No activities are permitted onsite that are not included on your permit application.
- All City ordinances will be strictly enforced (alcohol, dogs, etc.).
- Permit must be kept on location at all times.

**Failure to comply with the above conditions may result in immediate closure of the event and a ban on future events by the organizer in the City of Seaside.**

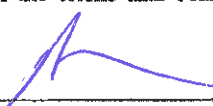
**PROVISIONS**

Permittee waives all claims against the City, its officers, agents and employees, for loss or damage caused by, arising out of, or in any way connected with, the exercise of this permit and permittee agrees to save harmless, indemnify and defend City, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby granted, except those arising out of the sole negligence of the City.

City shall have the privilege of inspecting the premises covered by this permit any and all time. This permit shall not be assigned. City may terminate this permit at any time if permittee fails to perform and covenant herein contained at the time and in the manner herein provided. City agrees it will not unreasonably exercise this right of termination.

The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City. No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto.

Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, sexual orientation, age national origin or physical handicaps. Permittee agrees to comply with the terms and conditions contained herein and all rules and regulation of the City subject to this permit.

  
\_\_\_\_\_  
Permit Holder's Signature

  
\_\_\_\_\_  
Title

  
\_\_\_\_\_  
Date

**INDEMNIFICATION, DEFENSE, HOLD HARMLESS**

Applications must furnish the city with a certificate of insurance in an amount no less than \$1 million naming the City of Seaside as an additional insured. The amount of insurance is subject to increase at the discretion of the Finance Director who is the Risk Manager, depending upon the nature of the event. Such insurance must be primary to any city insurance and the city must have at least ten days notice of cancellation.

For final event approval, you will need commercial general liability insurance that names "the City of Seaside, its officers, employees and agents" as an additional insured and any other public entities impacted by this event. Insurance coverage must be maintained for the duration of the event. To determine the amount of insurance coverage necessary, please contact

Describe the type of merchandise.

WILL ALCOHOL BE SERVED? ☒ YES ( ) NO  
WILL ALCOHOL BE SOLD? ( ) YES ☒ NO

If yes, please attach ABC license.

WILL EVENT INCLUDE MUSIC OR LIVE PERFORMANCES? ☒ YES ( ) NO

HOW WILL EVENT BE ADVERTISED AND PROMOTED?

Direct mail and social media outlets

WILL FILM, VIDEO, OR PHOTOGRAPHY BE INVOLVED WITH THE PRODUCTION OF THE EVENT?

yes, for documenting only

OTHER PERTINENT INFORMATION OR SPECIAL REQUESTS

**APPLICANT AGREEMENT:** All applicable fees must be paid 30 days prior to event date. No permit revisions will be accepted less than 14 days prior to the event date. The City of Seaside retains the right to terminate the event at any time should a responsible city official determine any activity related to the event is a threat to public safety and/or property. I (we) agree to abide by all laws, rules and regulations which may apply to this area. I (we) accept specific responsibility for other members of my group and for any damage done to city property and/or facilities, and agree to clean and restore the site to the condition in which it was found prior to the holding of the specific event. I certify under penalty of perjury that all the preceding information is true to the best of my knowledge. Completed and signed special event form must be submitted to Recreation and Community Activities Director within seven working days of receipt of form.

Permit Holder's Signature

Date

**APPLICATION MUST INCLUDE:**

Non-refundable Application Fee of \$90.00

Detailed schematic of event location indicating specific activity sites. For non-profit organizations, a copy of non-profit status must be submitted.

Attach to application and mail to:

City of Seaside  
Recreation Services  
Attn: N. Towne  
986 Hilby Avenue  
Seaside, CA 93955  
(831) 899-6801 (P)

(831) 899-6274 fax  
email: townenancy@ci.seaside.ca.us

**Specific Event  
Conditions of Approval**

- Event organizers must clean up any event-related trash.
- All event noise or sound must be kept to a minimum, particularly before 9:00 a.m. and must not create an annoyance to co-existing events.
- Permittee is responsible for the actions of all vendors and participants during the event.
- No activities are permitted onsite that are not included on your permit application.
- All City ordinances will be strictly enforced (alcohol, dogs, etc.).
- Permit must be kept on location at all times.

**Failure to comply with the above conditions may result in immediate closure of the event and a ban on future events by the organizer in the City of Seaside.**

**PROVISIONS**

Permittee waives all claims against the City, its officers, agents and employees, for loss or damage caused by, arising out of, or in any way connected with, the exercise of this permit and permittee agrees to save harmless, indemnify and defend City, its officers, agents and employees, from any and all loss, damage or liability which may be suffered or incurred by City, its officers, agents and employees caused by, arising out of or in any way connected with exercise by permittee of the rights hereby granted, except those arising out of the sole negligence of the City.

City shall have the privilege of inspecting the premises covered by this permit any and all time. This permit shall not be assigned. City may terminate this permit at any time if permittee fails to perform and covenant herein contained at the time and in the manner herein provided. City agrees it will not unreasonably exercise this right of termination.

The parties hereto agree that the permittee, its officers, agents and employees, in the performance of this permit shall act in an independent capacity and not as officers, employees or agents of the City. No alteration or variation of the terms of this permit shall be valid unless made in writing and signed by the parties hereto.

Permittee will not discriminate against any employee or applicant for employment because of race, color, religion, ancestry, sex, sexual orientation, age national origin or physical handicaps. Permittee agrees to comply with the terms and conditions contained herein and all rules and regulation of the City subject to this permit.

\_\_\_\_\_  
Permit Holder's Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**INDEMNIFICATION, DEFENSE, HOLD HARMLESS**

Applications must furnish the city with a certificate of insurance in an amount no less than \$1 million naming the City of Seaside as an additional insured. The amount of insurance is subject to increase at the discretion of the Finance Director who is the Risk Manager, depending upon the nature of the event. Such insurance must be primary to any city insurance and the city must have at least ten days notice of cancellation.

For final event approval, you will need commercial general liability insurance that names "the City of Seaside, its officers, employees and agents" as an additional insured and any other public entities impacted by this event. Insurance coverage must be maintained for the duration of the event. To determine the amount of insurance coverage necessary, please contact Risk Manager. Please obtain the required insurance and mail an original insurance certificate to City of Seaside, Recreation and Community Activities Department, P.O. box 810, Seaside, CA 93955.

Name of insurance agent Beecher Carlson Ins. Agent's Name \_\_\_\_\_  
Business Phone 818-598-400 Policy Number 15105

**PERMIT HOLDER** hereby agrees to protect, defend, indemnify and hold and save harmless **CITY**, its officers, and employees against any and all liability, claims, judgements, costs and demands, however caused, including those resulting from death or injury to **PERMIT HOLDER'S** employees and damage to **PERMIT HOLDER'S** property, arising directly or indirectly out of the obligations or operations herein undertaken by **PERMIT HOLDER**, including those arising from the passive concurrent negligence of **CITY** but save and except those which arise out of the active concurrent negligence, sole negligence, or the sole willful misconduct of **CITY**. **PERMIT HOLDER** will conduct all defense at its sole cost and expense. **CITY** shall be reimbursed by **PERMIT HOLDER** for all costs or attorney's fees incurred by **CITY** in enforcing this obligation.

1/31/19  
Date

  
Signature of Permit Holder

Administrative Use Only

**Sign Off**

- |                                         |                                              |
|-----------------------------------------|----------------------------------------------|
| <input type="checkbox"/> Building _____ | <input type="checkbox"/> Recreation _____    |
| <input type="checkbox"/> Planning _____ | <input type="checkbox"/> Finance _____       |
| <input type="checkbox"/> Police _____   | <input type="checkbox"/> Public Works _____  |
| <input type="checkbox"/> Fire _____     | <input type="checkbox"/> County Health _____ |

**Department Comments**

Special Event application form  
Revised February 18, 2014

PORSCHE  
CLASSIC PARTNER  
MONTEREY



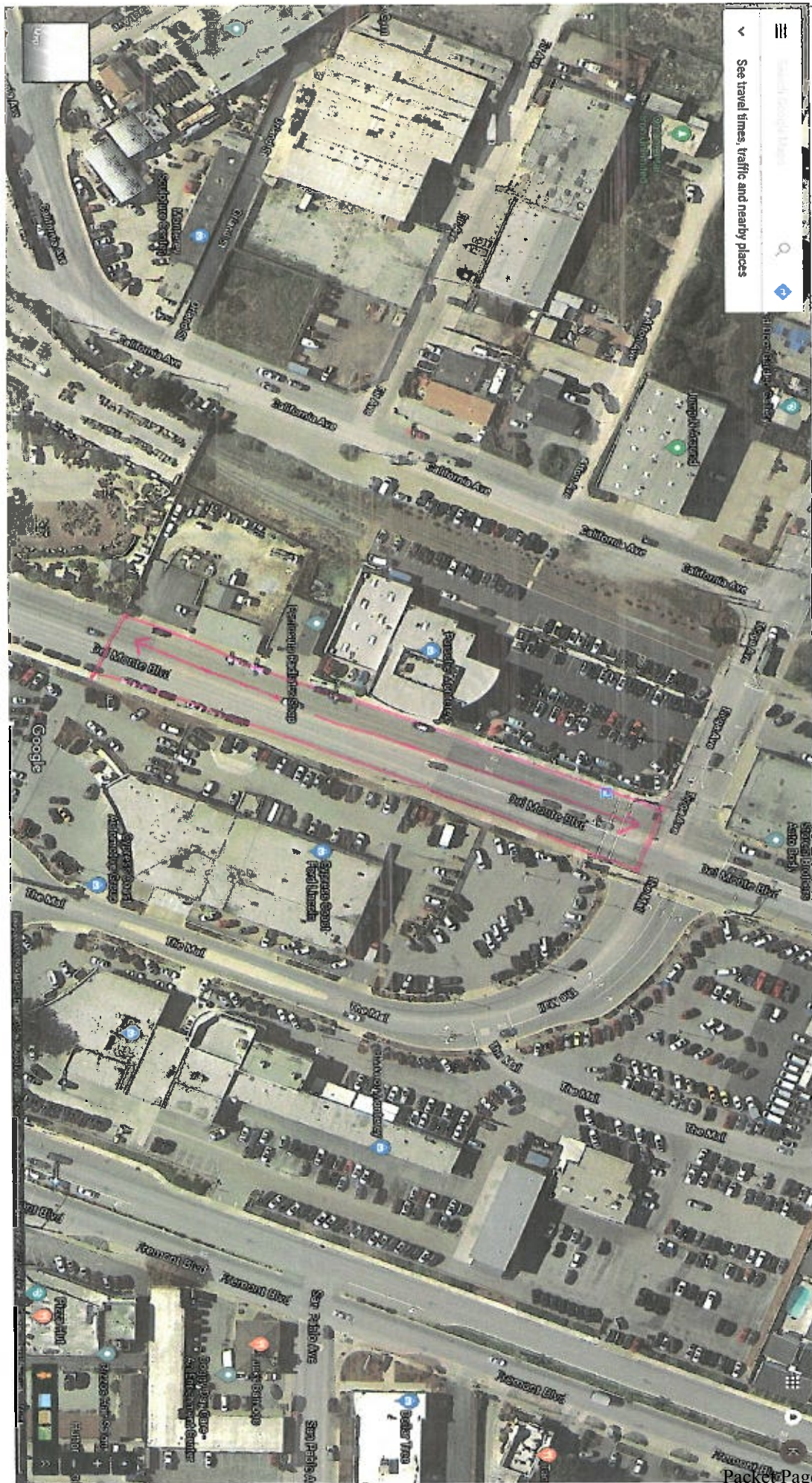
PORSCHE

**Kati Enea**

Customer Experience Manager

Porsche of Monterey  
1781 Del Monte Blvd. • Seaside, CA 93955  
Cell: 619-723-1005 • Direct: 831-583-4846 • Fax: 831-583-4824  
Email: [katienea@lithia.com](mailto:katienea@lithia.com) • Website: [porschemonterey.com](http://porschemonterey.com)





See travel times, traffic and nearby places

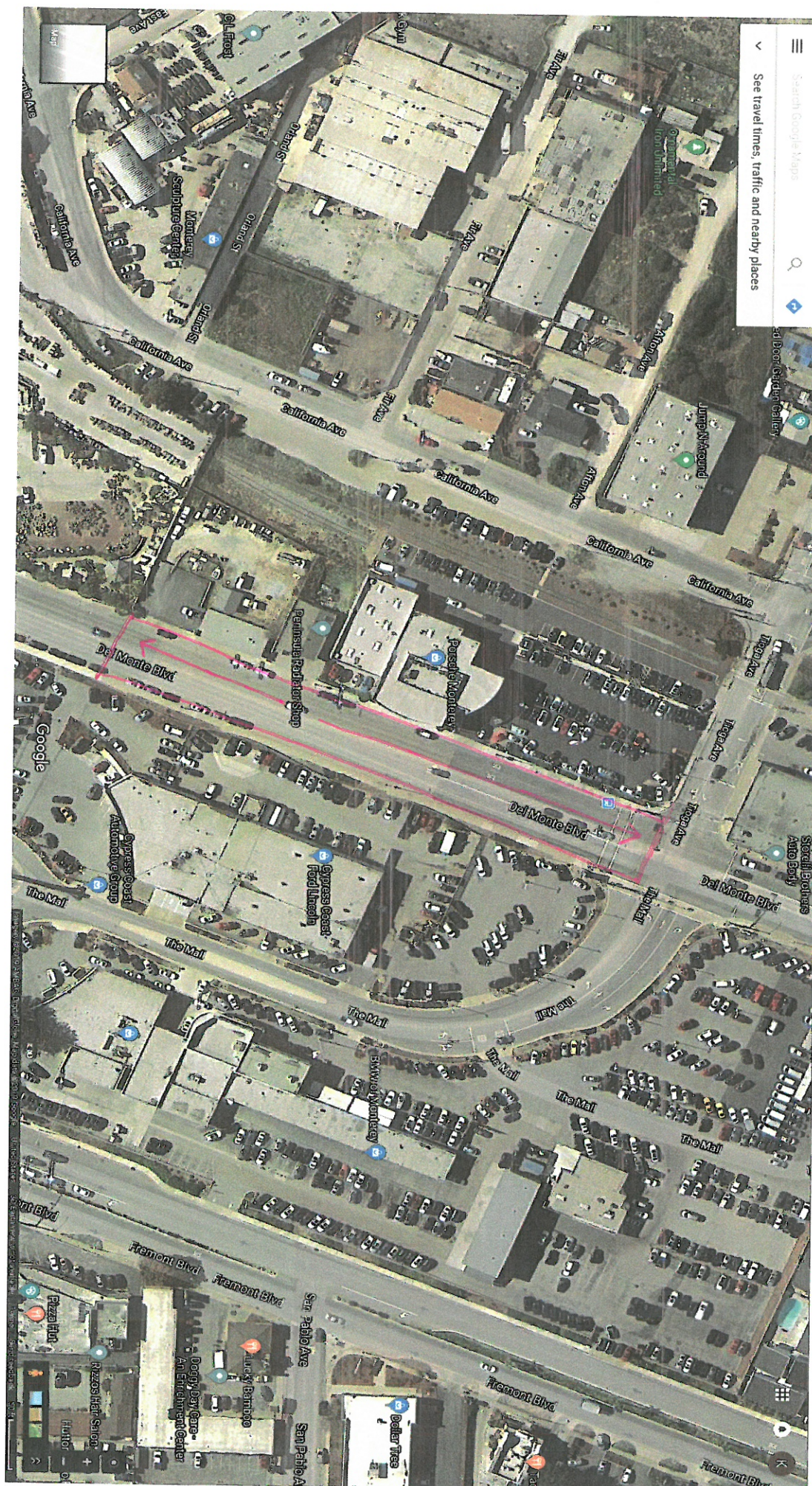
- Home
- Maps
- Search
- Layers
- Street View
- History
- Bookmarks
- Tools
- Help

Search...

80









# Cost Estimate Porsche\_1.xlsx Aug 2019

| Item                                              | Qty | Unit Cost | Extended Cost |
|---------------------------------------------------|-----|-----------|---------------|
| 1 temporary traffic control,                      | 1   | \$ 3,000  | \$ 3,000      |
| 2 temporary detour signage,                       | 1   | \$ 1,000  | \$ 1,000      |
| 3 temporary no-parking<br>and/or parking signage, | 1   | \$ 400    | \$ 400        |
| 4 Site clean up including<br>street sweeping.     | 1   | \$300     | \$ 300        |
| Total Estimated Cost                              |     |           | \$ 4,700      |



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 8.H.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Sharon Mikesell, Administrative Analyst

**DATE:** March 21, 2019

**SUBJECT: APPROVAL OF COMMUNITY DEVELOPMENT ADVISORY COMMITTEE RECOMMENDATIONS FOR THE USE OF 2019-2020 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS AND PROVIDE DIRECTION FOR STAFF TO INCLUDE IN THE 2019-2020 ANNUAL ACTION PLAN REQUIRED TO BE SUBMITTED TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD).**

---

### **PURPOSE & RECOMMENDATION**

To approve the recommendations of the CDAC for allocations of projected CDBG funds for fiscal year 2019-2020 and to provide direction to staff for allocations of Public Services and Projects to include in the Annual Action Plan while using contingency provisions to adjust to actual funding levels when the federal allocation to the City of Seaside is announced by HUD.

### **BACKGROUND**

The City of Seaside is a CDBG entitlement community. The overall goal of the CDBG program is to develop viable urban communities by providing decent housing, providing a suitable living environment, and expanding economic opportunities. Anticipated available funding is attached to this report. HUD has not yet announced the entitlement allocations for 2018-2019 and has recommended procedures to prepare Annual Action Plans (AAP) with projections and use contingency language to adjust the AAP to reflect actual amounts available when announced for submission to HUD within 60 days of the allocation notice, or August 16, 2018 (whichever is earlier). HUD's memo is attached to this report.

Funds coming to the City under the CDBG program are restricted to activities that

primarily benefit low income persons, address slums or blight or meet a particularly urgent community development need. Each year an Annual Action plan is prepared along with recommendations for use of CDBG funds for public services and eligible projects.

Seaside has a two year application cycle for subrecipients. 2019-2020 is the second year of the two year CDBG cycle for Seaside. No applications were taken in the second year of the cycle since the applications received last year covered both fiscal years. Since three members of the Council have taken office since the process began, here is a recap of notable milestones so far in the process :

August 31, 2017 Annual Planning & Community Workshop Notice in **Monterey County Weekly** published in English and Spanish

September 20, 2017 Community Development Advisory Committee (CDAC) hosted Annual Community Needs Assessment workshop.

November 2, 2017, City Council receives a presentation of the needs identified at the September workshop

November 15, 2017 CDAC hosted a mandatory proposal workshop for the two year cycle of applications for FY 2018-19 and 2019-20.

January 12, 2018 Project and Public Service Applications due for the FY 2018-19 and 2019-20 cycles. The City received ten (10) Public Services Applications requesting \$199,445 and eight (8) project applications requesting \$560,635 for 2018-2019. It was anticipated that CDBG funding allocations will be available for \$69,450 for public services and \$300,950 for projects for 2018-2019.

January 17, 2018 Boxes containing binders with the proposals for the two year cycle distributed to CDAC to start review.

February 21, 2018 CDAC began conducting reviews of the applications. Several Public Service applications were determined to require additional information and further discussion regarding recommendations and was tabled to March. The CDAC also reviewed projects during the February meeting. The CDAC determined that the DelMonte Manor security proposal must be reduced to eliminate guards, and with that elimination and by rescheduling of the VTC project to 2019-2020, the other projects would be recommended to be funded in the years and amounts applied with estimated funding and contingency language to adjust for actual grant and determined a recommendation for Council at the February meeting.

March 21, 2018 CDAC continued Public Service reviews for recommendation during their regularly scheduled meeting. Two public service applications (Del Monte Manor after school program and Food Bank of Monterey County) were withdrawn during the meeting by representatives of the applicants. The CDAC discussed many funding scenarios and decided to recommend two options to Council

April 5, 2018, the City Council revised the CDAC's recommendation authorizing allocation of the Public Services funding. Public Services funding is limited to 15% of

the grant award and program income. Council's recommendation was that no public services subrecipient receive less than \$5,000 in funding and the adjust the highest CDAC recommendations downward equally (see attachment) The Council upheld the deferment of the \$200,000 VTC project to 2019-2020 with the caveat that any "extra" funding available be used toward the VTC project in 2018-2019.

During the Annual Action Plan's public review period, the grant funding was announced of \$365,621 and other program income (an outstanding loan) had been paid in the amount of \$48,161.04 so all public service activities and the Veterans Transition Center were able to receive more funding than anticipated.

May 17, 2018, a public hearing was held for the Annual Action Plan prior to submission to HUD.

August 7, 2018, funding approval from HUD was approved for FY 2018-2019 with full execution of the document September 13, 2018.

September 19, 2018, CDAC hosts Community Needs workshop, focusing on how the needs have changed over the past 5 years

February 28, 2019 special meeting, the CDAC recommended that the public services funding numbers used in last year's City Council decision be used as the baseline recommendation for 2019-2020 with the actual numbers to be submitted to HUD adjusted to reflect actual funds available when announced. The CDAC also recommended and that the other activities that applied for 2019-2020 funding (including the deferred VTC project) be funded with the same caveat the Council included, with any "extra" funding to be allocated to the VTC as it addresses homelessness. See the attachments for full funding breakdowns.

As with past precedent and in alignment with HUD's Notice CPD-19-01, the allocation amounts in the Draft Annual Action Plan will be adjusted to reflect the actual award (when announced) without delay of an additional public comment period so that they may be submitted in accordance with 24CFR 91.500(b). HUD's 45 day review period will begin when the submission of the Annual Action plan or executed SF-424(s) forms are received by the Field Office, whichever is later. Per Federal Law, the submission of the AAP by the City of Seaside must be received within 60 days of the announcement of the grant funding or by August 16, 2019, whichever is earlier.

## **FISCAL IMPACT**

The CDBG fund is separate from the General Fund. Funding for the CDBG program is provided through the Federal Government and is dependent on its funding of the

program. Funding the City's Community Human Services JPA \$30,000 annual obligation with CDBG funds avoids an impact for that commitment through the General Fund.

### **ATTACHMENTS**

1. Estimated Available CDBG Funding
  2. CDAC recommendations and activity summaries 2019-2020
  3. Recommended Public Services for 2019-20
  4. CDBG Activities other than Public Services for 2019-2020
  5. Email with CPD notice 19-01
  6. 19-01cpdnotice
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

**2018-2019 ANTICIPATED CDBG FUNDING (as well as likely 2019-2020 funding)**

The City is anticipating that it will receive a 2018-2019 CDBG award of approximately \$360,000. The City also expects to have received \$103,000 in program income during the 2017-2018 program year and will do so again in 2018-2019. Annual allocations of CDBG funds are made by the federal government after the federal budget is approved. The actual amount of funding available under this application will be revised once the City receives an award notification from US Department of Housing and Urban Development (HUD). For planning purposes, the funding is expected to be similar for 2019-2020.

Please note that 20 percent of the annual funds are available to program administration, and only 15 percent of the annual award plus the prior year's program income is allowed to be available for public services. After program administration, the City is anticipating a total of \$370,400 will be available under this application, and \$69,450 of that will be available for public service programs.

|                                          |       |                   |
|------------------------------------------|-------|-------------------|
| Estimated 2018-2019 award                |       | \$ 360,000.00     |
| <u>Anticipated 2017-2018 income</u>      |       | <u>103,000.00</u> |
| Total new funding                        |       | 463,000.00        |
| Program administration                   | 20.0% | \$ (92,600.00)    |
| Total available to allocate              |       | 370,400.00        |
| Estimated 2018-2019 award                |       | \$ 360,000.00     |
| <u>Anticipated 2017-2018 income</u>      |       | <u>103,000.00</u> |
| Total public services cap basis          |       | \$463,000.00      |
| Anticipated 2018-2019 public service cap | 15.0% | \$69,450.00       |
|                                          |       |                   |
| Total Anticipated funds                  |       | \$463,000.00      |
| Less allowable program administration    |       | -\$92,600.00      |
| Less public service cap                  |       | - \$69,450.00     |
| Estimated available for projects         |       | \$300,950.00      |

All figures are ESTIMATES.

| IDIS<br>Program<br>Year | Idis Project<br># | IDIS Activity<br># | Organization                              | 2019-2020<br>Recommended by<br>CDAC<br>PUBLIC SERVICES | Serving                                 | Summary                                                                                                                                                    |
|-------------------------|-------------------|--------------------|-------------------------------------------|--------------------------------------------------------|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2019                    | 1                 | 1312               | Action Council (Palenke Arts)             | \$ 10,168.00                                           | 100 students                            | Multicultural Arts program for Seaside youth                                                                                                               |
| 2019                    | 2                 | 1313               | CPY                                       | \$ 10,168.00                                           | 415 students including 15 HS tutors     | Youth gang and violence prevention program. High school leadership and life skills program.                                                                |
| 2019                    | 3                 | 1314               | ECHO                                      | \$ 5,000.00                                            | 45 households                           | Fair Housing and Tenant-Landlord services with goal to prevent homelessness, end discrimination and illegal housing practices.                             |
| 2019                    | 4                 | 1315               | Girls Inc of Central Coast                | \$ 6,804.00                                            | 100 girls plus 35 mother daughter pairs | Four programs focusing on girls in 4th grade through high school                                                                                           |
| 2019                    | 5                 | 1316               | Greater Victory Temple-Community Pgm      | \$ 10,168.00                                           | 100 persons                             | Expand after school community program that includes tutoring and food. Partners with MPUSD, Shelter Outreach Plus and the Village Project                  |
| 2019                    | 6                 | 1317               | Legal Services for Seniors                | \$ 10,168.00                                           | 300 seniors                             | No cost legal services to Seaside seniors age 62+ and workshops                                                                                            |
| 2019                    | 7                 | 1318               | Meals on Wheels of the Monterey Peninsula | \$ 6,804.00                                            | 120 homebound persons                   | A portion of the food costs for homebound Seaside residents. Over 60% of the deliveries are to persons over 75 years old.                                  |
| 2019                    | 8                 | 1319               | The Village Project                       | \$ 10,168.00                                           | 38 Seaside at risk students             | Mae C.Johnson Education and Enrichment Academy. After school program with tutoring, technology and enrichment activities for low income, at-risk students. |
| <b>Subtotal</b>         |                   |                    |                                           | \$ 69,448.00                                           |                                         |                                                                                                                                                            |
|                         |                   |                    |                                           | <b>\$ 69,450.00</b>                                    |                                         | <b>ESTIMATED AVAILABLE</b>                                                                                                                                 |
|                         |                   |                    |                                           | \$ 2.00                                                |                                         | Estimated baseline contingency                                                                                                                             |

Public Services contingency-no award smaller than \$5,000. Highest awards adjusted lower if less funding available, all awards equally adjusted upward if more funding available.

**ACTIVITIES-CDAC is requesting all be fully funded as requested**

|                 |    |      |                                                 |    |                   |                                                            |                                                 |
|-----------------|----|------|-------------------------------------------------|----|-------------------|------------------------------------------------------------|-------------------------------------------------|
| 2019            | 9  | 1320 | Boys and Girls-Clubhouse Improvements           | \$ | 22,000.00         | 870 Youth                                                  | Community room upgrades                         |
| 2019            | 10 | 1321 | Community Human Svcs-Genesis House Improvements | \$ | 30,000.00         | 130 persons                                                | Electrical improvements to Genesis House        |
| 2019            | 11 | 1324 | Veterans' Transition Renovations                | \$ | 200,000.00        | 8-16 homeless/at risk veterans at a time (64-128 annually) | renovate 8 bedroom duplex for emergency shelter |
| 2019            | 12 | 1325 | Seaside Econ Dev-Microbusiness Assistance       | \$ | 25,000.00         | 3 microbusinesses                                          | compete for rent subsidies                      |
| <b>Subtotal</b> |    |      |                                                 | \$ | 277,000.00        |                                                            |                                                 |
|                 |    |      |                                                 | \$ | <b>300,950.00</b> |                                                            | <b>ESTIMATED AVAILABLE</b>                      |
|                 |    |      |                                                 | \$ | 23,950.00         |                                                            | Estimated contingency                           |

Activities contingency- if funds available are lower than anticipated, reduce contingency, if funds are higher, allocate to VTC



# CDBG Public Services Allocations

| Organization                              | 2018-2019 Request    | 2018-2019 Request Capped at \$15,000 | % of total requests capped | \$ of % of overage | Total capped minus overage | % of Capped Request | City Council's 2018 decision | Actual funds available 2018-2019 |
|-------------------------------------------|----------------------|--------------------------------------|----------------------------|--------------------|----------------------------|---------------------|------------------------------|----------------------------------|
| Action Council (Palenke)                  | \$ 15,000.00         | 15,000                               | 15%                        | \$ 4,793.27        | \$ 10,206.73               | 68%                 | \$ 10,168.00                 | \$ 11,178.50                     |
| CPY                                       | \$ 15,000.00         | 15,000                               | 15%                        | \$ 4,793.27        | \$ 10,206.73               | 68%                 | \$ 10,168.00                 | \$ 11,178.50                     |
| ECHO                                      | \$ 7,065.00          | 7,065                                | 7%                         | \$ 2,257.63        | \$ 4,807.37                | 68%                 | \$ 5,000.00                  | \$ 6,010.50                      |
| Coast                                     | \$ 10,000.00         | 10,000                               | 10%                        | \$ 3,195.51        | \$ 6,804.49                | 68%                 | \$ 6,804.00                  | \$ 7,814.50                      |
| Greater Victory Temple-Community Pgm      | \$ 30,000.00         | 15,000                               | 15%                        | \$ 4,793.27        | \$ 10,206.73               | 68%                 | \$ 10,168.00                 | \$ 11,178.50                     |
| Legal Services for Seniors                | \$ 15,000.00         | 15,000                               | 15%                        | \$ 4,793.27        | \$ 10,206.73               | 68%                 | \$ 10,168.00                 | \$ 11,178.50                     |
| Meals on Wheels of the Monterey Peninsula | \$ 10,000.00         | 10,000                               | 10%                        | \$ 3,195.51        | \$ 6,804.49                | 68%                 | \$ 6,804.00                  | \$ 7,814.50                      |
| The Village Project                       | \$ 20,000.00         | 15,000                               | 15%                        | \$ 4,793.27        | \$ 10,206.73               | 68%                 | \$ 10,168.00                 | \$ 11,178.50                     |
| <b>Subtotal</b>                           | <b>\$ 122,065.00</b> | <b>102,065</b>                       |                            |                    | <b>\$ 69,450.00</b>        |                     | <b>\$ 69,448.00</b>          | <b>\$ 77,532.00</b>              |
| Requested difference                      | \$ (52,615.00)       | \$ (32,615.00)                       |                            |                    |                            |                     |                              |                                  |
| <b>Estimated Available</b>                | <b>\$ 69,450.00</b>  |                                      |                            |                    |                            |                     |                              |                                  |

Contingency=all applicants adjusted equally by difference of available funds to a limit of the capped request column.  
 DelMonte Manor and Food Bank of Monterey County withdrew their applications

City Council's adjustment was to have no award less than \$5,000 and to adjust the largest awards downward to bring the lowest award up to get the baseline amount.

When the actual award was announced for 2018-2019, all amounts were adjusted equally upward.

Extra funds that became available over the projected amount for public services for 2018-2019 were distributed equally to all applicants.

**The CDAC is recommending that the City Council's 2018 decision for Public Services funding including contingency provisions remain the same for 2019-2020**

| Organization                                    | 2018-2019<br>REQUESTED | 2018-2019<br>Recommended<br>by CDAC | 2018-2019<br>Authorized by<br>Council | 2018-2019<br>Funding<br>Available |  | 2019-2020<br>REQUESTED | 2019-2020<br>Recommended<br>by CDAC | Serving                                                    | Summary                                                                |
|-------------------------------------------------|------------------------|-------------------------------------|---------------------------------------|-----------------------------------|--|------------------------|-------------------------------------|------------------------------------------------------------|------------------------------------------------------------------------|
| Boys and Girls-Clubhouse Improvements           | \$ 71,507.00           | \$ 71,507.00                        | \$ 71,507.00                          | \$ 71,507.00                      |  | \$ 22,000.00           | \$ 22,000.00                        | 870 Youth                                                  | New flooring 18-19, Community room upgrades 19-20                      |
| Community Human Svcs-Genesis House Improvements | \$ 30,000.00           | \$ 30,000.00                        | \$ 30,000.00                          | \$ 30,000.00                      |  | \$ 30,000.00           | \$ 30,000.00                        | 130 persons                                                | 18-19 plumbing improvements, 19-10 electrical improvements             |
| Del Monte Manor-Playground                      | \$ 16,000.00           | \$ 16,000.00                        | \$ 16,000.00                          | \$ 16,000.00                      |  | \$ -                   | N/A                                 | 192 families                                               | installation of playground equip                                       |
| Del Monte Manor-Security                        | \$ 93,128.00           | \$ 15,000.00                        | \$ 15,000.00                          | \$ 15,000.00                      |  | \$ -                   | N/A                                 |                                                            | security equipment (guards not eligible)                               |
| Veterans' Transition Renovations                | \$ 200,000.00          |                                     | \$ 18,443.00                          | \$ 63,224.33                      |  |                        | \$ 200,000.00                       | 8-16 homeless/at risk veterans at a time (64-128 annually) | renovate 8 bedroom duplex for emergency shelter                        |
| Seaside Engineering-Cutino Equipment            | \$ 65,000.00           | \$ 65,000.00                        | \$ 65,000.00                          | \$ 65,000.00                      |  | \$ -                   |                                     | over 900 ADA                                               | ADA bleachers and drinking fountain at Cutino Park                     |
| Seaside Econ Dev-Microbusiness Assistance       | \$ 25,000.00           | \$ 25,000.00                        | \$ 25,000.00                          | \$ 25,000.00                      |  | \$ 25,000.00           | \$ 25,000.00                        | 3 microbusinesses                                          | compete for rent subsidies                                             |
| Seaside Engineering- Wanda Sidewalk             | \$ 60,000.00           | \$ 60,000.00                        | \$ 60,000.00                          | \$ 60,000.00                      |  | \$ -                   | N/A                                 | 62% low mod area                                           | sidewalk replacement/ADA ramp 1600 block Wanda, eliminate trip hazards |
| Subtotal                                        | \$ 560,635.00          | \$ 282,507.00                       | \$ 300,950.00                         | \$ 345,731.33                     |  | \$ 77,000.00           | \$ 277,000.00                       |                                                            |                                                                        |
| Estimated available for Capital Projects        | \$ 300,950.00          | \$ 300,950.00                       | \$ 300,950.00                         | \$ 345,731.33                     |  | \$ 300,950.00          | \$ 300,950.00                       |                                                            |                                                                        |
| Estimated difference                            | \$ (259,685.00)        | \$ 18,443.00                        | \$ -                                  |                                   |  | \$ 223,950.00          | \$ 23,950.00                        |                                                            |                                                                        |

Per HUD SF field office: Security GUARDS are not a CDBG qualified Capital projects expense. Purchase of security equipment IS a CDBG qualified capital projects expense. \$15,000 of the proposal is allowable for consideration.

CHS has a Joint Powers Authority agreement with the City of Seaside to be funded \$30,000 per year. Traditionally, this has been through CDBG funds to avoid an impact to the General Fund.

The CDAC has recommended that should the Estimated CDBG funding available for Capital projects differ with an increase from the subtotal of recommended amounts, the difference in dollars should be allocated to the VTC as it addresses homelessness.

**Sharon Mikesell - Re: Guidance on Submitting Consolidated Plans and Annual Action Plans for FY 2019**

---

**From:** "Nash, Kimberly Y" <Kimberly.Y.Nash@hud.gov>  
**To:** <SF-FORMULA-GRANTEES-L@HUDLIST.HUD.GOV>  
**Date:** 2/14/2019 6:23 PM  
**Subject:** Re: Guidance on Submitting Consolidated Plans and Annual Action Plans for FY 2019

---

Dear CPD Grantees,

The purpose of this message is to provide you with guidance pertaining to the Submission of Consolidated Plans and Annual Action Plans for FY2019 as outlined in CPD Notice 19-01. Attached is a copy of the Notice for your reference. The document is also accessible at <https://www.hud.gov/sites/dfiles/OCHCO/documents/19-01cpdn.pdf>.

We appreciate your time and attention regarding this matter. Thank you very much.

We hope that you will want to continue receiving information from HUD.  
We safeguard our lists and do not rent, sell, or permit the use of our lists by others, at any time, for any reason.

Connect with HUD on [Social Media](#) and follow Secretary Carson on [Twitter](#) and [Facebook](#).

If you wish to be taken off this mail list, please [go here](#).

We hope that you will want to continue receiving information from HUD.  
We safeguard our lists and do not rent, sell, or permit the use of our lists by others, at any time, for any reason.

Connect with HUD on [Social Media](#) and follow Secretary Carson on [Twitter](#) and [Facebook](#).

If you wish to be taken off this mail list, please [go here](#).



OFFICE OF COMMUNITY PLANNING  
AND DEVELOPMENT

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

---

**Special Attention of:**

All CPD Division Directors  
HUD Field Offices  
HUD Regional Offices  
All CDBG Grantees  
All HOME Participating Jurisdictions  
All HTF Grantees  
All ESG -Grantees  
All HOPWA - Grantees

**NOTICE: CPD-19-01**

Issued: February 13, 2019  
Expires: September 30, 2019

Cross Reference: 24 CFR Part 91

---

**Subject:** Guidance on Submitting Consolidated Plans and Annual Action Plans  
for Fiscal Year (FY) 2019

**Purpose:**

The purpose of this Notice is to instruct all Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Housing Trust Fund (HTF), Emergency Solutions Grants (ESG) and Housing Opportunities for Persons With AIDS (HOPWA) grantees on the timing of submission of FY 2019 Consolidated Plans and Action Plans. Grantees should not submit their Plans until after Congress passes HUD's FY 2019 appropriations, and the actual grant amounts have been determined. This Notice provides instructions to grantees/participating jurisdictions under each of these programs regarding costs incurred prior to execution of a grant agreement. This Notice further informs Entitlement CDBG grantees and HOME participating jurisdictions of waivers being made available to certain grantees/participating jurisdictions to assist in the implementation of the pre-award costs instructions. These procedures apply equally to grantees' 3-to 5-year Consolidated Plans as well as to annual Action Plans (either as a stand-alone document or as a component of the overall Consolidated Plan submission).

**Notes regarding applicability:**

This Notice uses the term "grantee" generically, to also include HOME participating jurisdictions, except where the term appears in discussions explicitly limited to one of the other covered funding programs. Provisions of this Notice covering the Entitlement CDBG program also apply to Insular Areas grantees and CDBG nonentitlement county grantees in Hawaii, as the Entitlement CDBG program regulations also apply to their CDBG funds.

**Background:**

Pursuant to 24 CFR 91.15(a)(1), each jurisdiction should submit its Consolidated Plan to HUD at least 45 days before the start of its program year. The earliest date on which HUD will accept a Consolidated Plan or Action Plan submission is November 15, 2018; and the latest

submission deadline is August 16, 2019. However, in most years, HUD does not receive its annual funding appropriation until several months into the federal fiscal year (rarely earlier than December, and sometimes as late as April). Once a fiscal year's appropriation is enacted, HUD needs time to compute grantees' allocation amounts for the programs covered by the Consolidated Plan.

According to 24 CFR 91.500(a), a Plan will be deemed approved 45 days after HUD receives the Plan, unless HUD notifies the jurisdiction before that date that the Plan is disapproved. In past years, HUD typically did not disapprove a Plan solely because it was based on estimated allocation amounts. As a result, a Plan submitted by a grantee before its allocation amounts are announced typically received automatic approval, even though the Plan did not list the grantee's actual allocation amounts.

This practice resulted in significant additional work for both HUD and grantees. After the actual allocation amounts were announced, a grantee had to submit a revised, re-signed SF-424 form listing the actual allocation amounts for each of its grants. In many cases, the grantee had to make additional changes to amend its Plan to reflect its actual allocation amounts. This may have constituted a substantial amendment under 24 CFR 91.505, which is subject to the grantee's citizen participation plan process. For FY 2019, HUD will not execute a grant agreement with a grantee until HUD has received a Plan (or an amended Plan) which incorporates the actual allocation amounts a grantee is to receive for FY 2019.

#### **Revised Procedures for Submission of FY 2019 Consolidated Plans and Action Plans by Grantees with Early Program Year Start Dates:**

HUD is issuing the following revised procedures to govern the submission and review of Consolidated Plans and Action Plans for FY 2019 funding prior to computation of FY 2019 allocation amounts. These procedures will apply to any grantee whose normal Consolidated Plan/Action Plan submission deadline (45 days before the start of the program year) falls either before, or less than 60 days after, the date HUD announces FY 2019 allocation amounts for CDBG, ESG, HOME and HOPWA funding. (See Section II. for a discussion of the timing of Housing Trust Fund allocations.)

Congress has not completed the appropriations process for HUD's FY2019 appropriation. At this time, HUD cannot predict when its FY 2019 appropriations bill will be enacted and when it will be able to announce FY 2019 allocation amounts. Thus, HUD cannot say how many grantees – or which program year start dates – will be subject to these revised procedures. Similarly, HUD cannot provide estimated FY 2019 allocation amounts for grantees to use for planning purposes in developing annual Action Plans.

**Note:** These procedures will not apply to grantees whose normal Consolidated Plan/Action Plan submission deadline is more than 60 days after HUD announcement of FY 2019 allocation amounts; those grantees should have sufficient time to revise their Plans to match actual allocation amounts prior to the due date for their Plan.

**I. Revised Submission Dates for FY 2019 Consolidated Plans/Action Plans for CDBG, ESG, HOME, HOPWA**

Grantees are advised not to submit their Consolidated Plan/Action Plan until after the FY 2019 allocations have been announced. Grantees due to submit a new 3- to 5-year Consolidated Plan in FY 2019 should refrain from submitting the overall Consolidated Plan as well as the FY 2019 Action Plan contained within the overall document. HUD cannot complete its review of the overall Consolidated Plan components independent of the current year's Action Plan component. Once HUD informs grantees of their FY 2019 funding allocation amounts, each grantee should, prior to submission, ensure that the actual FY 2019 allocation amounts are reflected in the form SF-424, in the description of resources and objectives, and in the description of activities to be undertaken (or, for states, the method of distribution). It may be necessary for a grantee to revise its Action Plan before submission to HUD.

An affected grantee may delay submission of its Consolidated Plan or Action Plan to HUD until 60 days after the date allocations are announced, or until August 16, 2019 (whichever comes first). This delay will give a grantee time to revise its Action Plan to incorporate actual allocation amounts, and to conduct any additional citizen participation, if necessary.

For example, if HUD were to announce the FY 2019 allocation amounts to grantees on April 26, 2019:

- For grantees with January 1 – June 1 program year start dates, their normal plan submission date would have been before the date that HUD announced allocation amounts. These grantees would be able to postpone submission of their Consolidated Plan/Action Plan until June 25, 2019.
- For grantees with July 1 and August 1 program year start dates, their normal Plan submission date would be less than 60 days after HUD's announcement of allocation amounts. These grantees would also be able to postpone submission of their Consolidated Plan/Action Plan until June 25, 2019.
- Grantees with September 1 and October 1 program year start dates would have more than 60 days between the date of announcement of allocations and the normal submission deadline for their Consolidated Plan/Action Plan. These grantees would be expected to submit their Plan on time.

However, in no case may a Consolidated Plan/Action Plan be submitted to HUD later than August 16, 2019. Failure to submit an Action Plan for FY 2019 by August 16, 2019, will result in the automatic loss of FY 2019 CDBG funds to the grantee. This requirement is established by statute, and HUD cannot waive the August 16 submission deadline. Funding under other CPD formula programs are not subject to this deadline but, since virtually all CPD formula grantees receive CDBG funding, the CDBG submission requirement effectively establishes the deadline for submission of Action Plans.

The regulations, at 24 CFR 91.15(a)(1), state that “...each jurisdiction should submit its Consolidated Plan at least 45 days before the start of its program year.” HUD has determined that it is not necessary to waive this provision in order to implement the procedures in this Notice for FY 2019 Action Plans. This provision does not prohibit a grantee from submitting a Plan in the eCon Planning Suite after that time. It is not necessary for an affected grantee to request an exception to its normal Action Plan submission date under 24 CFR 91.15(a)(1), nor is it necessary for a field office to grant an exception to the Action Plan submission deadlines, under 24 CFR 91.20, in order to implement the procedures in this Notice.

## **II. Submission Process for the Housing Trust Fund (HTF) Program**

HTF is an affordable housing production program to increase and preserve the supply of decent, safe, and sanitary affordable housing for extremely low-income and very low-income families. See 24 CFR part 93. HTF is a formula grant program for states.

The HTF regulation at 24 CFR 93.100 requires each state to include its HTF allocation plan in its annual Action Plan as described at 24 CFR 91.320(k)(5). The HTF allocation plan describes the method for the distribution of funds, and establishes the application requirements and criteria for selecting applications. The rule also requires a local jurisdiction that receives a subgrant of HTF funds from the state to include a HTF allocation plan (24 CFR 91.220(l)(5)) in its annual Action Plan, but due to the timing of the publication of HTF allocations, the local jurisdiction may need to amend its annual Action Plan to include HTF.

The timing of the HTF allocations is different from other CPD formula programs (CDBG, HOME, HOPWA, and ESG) because the source of funding is the mandatory assessments on Fannie Mae and Freddie Mac rather than Federal appropriations. The earliest HUD expects to publish the HTF allocations is April 2019. If HTF allocations are not published before a state submits its Consolidated Plan/Action Plan, a state may submit its Consolidated Plan/Action Plan for the other CPD formula programs, then submit its HTF allocation plan as a substantial amendment to its annual Action Plan, after the HTF allocations are published.

## **III. HUD Review of Action Plans**

HUD will review a Consolidated Plan/Action Plan in accordance with 24 CFR 91.500(b). The 45-day review period will begin whenever the eCon Planning Suite submission or original executed SF-424, certifications and applicable assurances (SF 424B and SF 424D, as applicable) are received by the field office, whichever is later. HUD will disapprove as substantially incomplete any Consolidated Plan or Action Plan covering FY 2019 funding that does not reflect actual CDBG, HOME, ESG and HOPWA allocation amounts on the form SF-424(s), in the description of resources and objectives, and in the description of activities to be undertaken (or, for states, the method of distribution). The HTF allocation must be included if the HTF allocations are published before the state submits its Consolidated Plan or Action Plan. (See Section II.) A grantee whose Action Plan is disapproved for this reason is advised to not resubmit a revised Plan until HUD has announced the actual FY 2019 allocation amounts, and until the grantee has incorporated the actual allocation amounts into its Plan.

24 CFR 91.500(b) states HUD may disapprove a Plan or a portion of a Plan if it is inconsistent with the purpose of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 12703), if it is substantially incomplete, or, in the case of a CDBG certification under §91.225(a) and (b) or §91.325(a) and (b), if it is not satisfactory to the Secretary in accordance with §570.304, §570.429(g), or §570.485(c). The following are examples provided in §91.500(b) of substantially incomplete Plans:

- (1) A Plan developed without the required citizen participation or the required consultation;
- (2) A Plan that fails to satisfy all the required elements in 24 CFR Part 91, as reflected in the eCon Planning Suite. This includes when the grantee has not provided a final statement of community development objectives and the projected use of funds;
- (3) A Plan for which a certification is rejected by HUD as inaccurate, after HUD has inspected the evidence and provided due notice and opportunity for comment; and
- (4) A Plan without a description of the manner in which the unit of general local government or state will provide financial or other assistance to a public housing agency if the public housing agency is designated by HUD as “troubled”.

24 CFR 91.500(d) states that “(t)he jurisdiction may revise or resubmit a Plan within 45 days after the first notification of disapproval.” HUD has determined that it is not necessary to waive this provision in order to implement the procedures in this Notice for FY 2019 Consolidated Plans/Action Plans. This provision does not prohibit a grantee from re-submitting a Plan after that time period.

24 CFR 91.105(c), 91.115(c) and 91.505 require a grantee to comply with citizen participation requirements when it undertakes a substantial amendment to an approved Plan. A Plan that has been disapproved by HUD is, by definition, not an approved Plan. When a grantee’s Plan is disapproved by HUD, the Consolidated Plan regulations do not necessarily require a grantee to undertake further citizen participation on the changes the grantee makes before re-submitting it. (A major exception to this, however, would be if the reason for disapproval involved the grantee’s failure to fulfill citizen participation requirements to begin with.) However, as noted in this Notice, there are circumstances in which a grantee may need to make major revisions to a disapproved Plan, which could trigger further citizen participation efforts. A grantee with a disapproved Plan should review its citizen participation plan and local policies to determine whether it will need to conduct further citizen participation as a result of the changes it makes to incorporate actual allocation amounts into its Plan, prior to re-submission of the revised Plan.

#### **IV. Development of Proposed Action Plans and Citizen Participation During the Interim**

A grantee has several options regarding fulfilling its citizen participation obligations while waiting for HUD to announce FY 2019 allocation amounts:

- a. A grantee may conduct citizen participation on its draft Plan (with estimated funding amounts) according to its normal timetable and citizen participation procedures. (Grantees



are cautioned, though, that they should not submit their Plan until allocation amounts are known.) A grantee doing so should make clear that the funding levels shown are estimated amounts. In addition, the grantee should include “contingency provision” language in its Action Plan which explains how it will adjust its proposed Plan to match its actual allocation amounts, once actual amounts become known. By including such contingency language, a grantee can avoid the need to make significant revisions to its Plan (beyond incorporating the final allocation amounts into the Plan and the SF-424 form). The grantee may also avoid the potential need to conduct additional citizen participation on a Plan that has to be significantly revised in order to reflect actual allocation amounts.

Examples of contingency provisions include:

- A Plan could state that all proposed activities’ budgets will be proportionally increased or decreased from the estimated funding levels to match actual allocation amounts.
- A grantee could express its budget in terms of percentages of the allocation to be budgeted to each planned activity, along with the grantee’s current estimate of how many dollars that equates to for each activity. [For example, regardless of what the final allocation amounts are, the United Interfaith Street Outreach Program will receive 22% (currently estimated to be approximately \$38,000) of the grantee’s total ESG allocation, and the Tenant-Based Rental Assistance activity will receive 10% (currently estimated to be about \$68,750) of the HOME allocation.]
- A Plan could state that any increase or decrease in funding to match actual allocation amounts will be applied to one or more specific activities (e.g., any increase or decrease relative to the grantee’s estimated allocation amount will be applied to the single-family housing rehabilitation grant program).
- A Plan could list its proposed activities in priority order and indicate that the East Side Sidewalk Replacement activity listed in the plan is a “backup” activity that will be funded only if sufficient CDBG funding exists; or conversely, if the grantee’s actual allocation is less than estimated, the East Side Sidewalk Replacement activity will not be funded in FY 2019.
- A Plan could state that, should the actual allocation amount exceed the grantee’s estimate, the grantee will increase the Uptown Sewer Separation activity budget and will extend the service area block-by-block along the 600-900 blocks of Cherry Street, based on the amount of additional funding available.

A grantee may include these or other comparable provisions singly or in any combination to meet its needs. A grantee may adopt a different contingency approach for each of the programs covered by this Notice (CDBG, ESG, HOME, HOPWA and HTF).

- b. Alternatively, a grantee may prepare a proposed Action Plan according to its normal timetable, but wait until actual allocation amounts are known before undertaking citizen participation actions. Once allocation amounts are announced by HUD, the grantee

will need to update relevant sections of its Plan (such as the listings of resources and objectives, and the description of activities or the state's method of distribution) to reflect actual allocation amounts before conducting citizen participation. All grantees intending to incur pre-award costs under the programs covered by this Notice should be aware that this option will not be available to them, as citizen participation requirements must be met before pre-award costs are incurred. (See Section V. below.)

HUD has developed these procedures to minimize disruption to grantees and to minimize duplication of effort by grantees. A grantee that does not follow either option a. or b. above (i.e., the grantee undertakes citizen participation according to its normal timetable, based solely on estimated funding levels, and the Plan does not contain any contingency language on how the final Plan will be adjusted to match actual allocation amounts) runs the risk of increasing its own work obligations and costs. The grantee will still be required to update its Plan to incorporate actual allocation amounts before submission to HUD. The grantee may need to undertake additional publication and citizen participation processes, depending on the difference between its actual allocation amounts and the estimated amounts in its proposed Action Plan, and how the grantee plans to adjust its proposed activities in order to match its actual allocation amounts. Local policies and procedures may also require the grantee to obtain re-approval of the revised Plan from its legislative body or authorizing officials.

A Plan that has not yet been submitted to HUD is also not an approved Plan, and is not subject to the citizen participation requirements of a substantial amendment. However, a grantee that delays its Plan submission should review its citizen participation plan and local policies to determine whether it will need to conduct further citizen participation as a result of the changes it makes to incorporate actual allocation amounts into its Plan, prior to its submission.

## **V. Pre-Award Costs**

### **A. General Provisions Applicable to All Consolidated Plan Programs**

Special attention must be paid to situations in which a grantee wishes to incur costs prior to grant award. For example, under certain programs, a grantee may want to execute annual renewals of agreements with social service providers in order to prevent interruption of social services. The annual performance cycle of these agreements might normally begin after the grantee's official program year start date but, under this Notice the grantee cannot even submit its Action Plan until after the date that the agreements need to be executed. Thus, the timing instructions in this Notice may cause some program costs to be classified as pre-award costs where they would otherwise not have been.

The government-wide Uniform Administrative Requirements, Cost Principles and Audit Requirements regulation, at 2 CFR Part 200, contains language concerning agency approval of pre-award costs. The language at 2 CFR 200.458 applies to any program that does not have its own separate provisions concerning authorization of pre-award costs:

**§ 200.458. Pre-award costs.** Pre-award costs are those incurred prior to the effective date of the Federal award directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal award and only with the written approval of the Federal awarding agency.

The ESG, HOPWA and HTF program regulations do not contain program-specific language establishing pre-award cost requirements for those programs; the CDBG and HOME program regulations do contain pre-award cost requirements unique to those programs. (However, the HOME requirements apply only to certain types of pre-award costs.) The following guidance applies to all five programs. Additionally, guidance unique to each separate program is provided below.

The Part 91 Consolidated Plan regulations make distinctions between a “proposed Plan” and “a Plan”. Most notably, 24 CFR 91.105(b) and 91.115(b) describe the citizen participation requirements for a grantee’s proposed Plan. For purposes of this Notice regarding pre-award costs, HUD considers a grantee’s Plan to have moved from being “a proposed Plan” to being “a Plan” once a grantee has completed the publication, public hearing and public comment requirements at 24 CFR 91.105(b)(2), (3) and (4) or 91.115(b)(2), (3) and (4), and has developed its written summary of comments received pursuant to 24 CFR 91.105(b)(5) or 91.115(b)(5).

To minimize additional workload on grantees and HUD field offices, this Notice establishes the following procedures implementing the 2 CFR 200.458 requirements cited above. This Notice provides HUD approval to incur pre-award costs if and when the grantee completes the following documentation in its local files:

1. The grantee documents that the costs incurred prior to grant award are necessary for efficient and timely performance of the activity in question.
2. The grantee documents that the costs are for eligible activities under the regulations for the applicable funding program;
3. The grantee documents that the grantee has complied with all other requirements for pre-award costs under the regulations for the applicable funding program or as described below;
4. The activity for which costs will be incurred is included in a Consolidated Plan/Action Plan;
5. The grantee documents completion of its citizen participation process by including in its files a written, dated summary of citizen participation comments received on its Plan, pursuant to 24 CFR 91.105(b)(5) or 91.115(b)(5) as applicable.

If the grantee’s files contain all other necessary documentation supporting the costs (described below for each program), the date of HUD approval for pre-award costs is the date of the written summary of citizen participation comments, or the grantee’s program year start date, whichever is later.

Note: Pre-award costs are incurred at the grantee's own risk because reimbursement is contingent upon the availability of appropriated funds for FY 2019 in addition to the applicable provisions listed in this section.

#### B. Additional Provisions: Entitlement CDBG Program

The Entitlement CDBG program regulations specify, at 24 CFR 570.200(h), the situations under which a grantee may incur costs prior to the effective date of its grant agreement. The provisions of this Notice will affect how grantees comply with the pre-award cost reimbursement requirements.

1. 24 CFR 570.200(h) defines the effective date of a grantee's agreement as the grantee's program year start date or the date that the Consolidated Plan/Action Plan is received by HUD (whichever is later). Under the provisions of this Notice, a grantee's Action Plan may not be submitted to (and thus received by) HUD until several months after the grantee's program year start date. This may negatively affect grantees' ability to incur pre-award costs.
2. Therefore, HUD has issued a waiver of 24 CFR 570.200(h) to the extent necessary to implement the following requirement: the effective date of a grantee's FY 2019 grant agreement will be considered to be the earlier of the grantee's program year start date or the date that the Consolidated Plan/Action Plan (with actual allocation amounts) is received by HUD. Attachment A contains the HUD memorandum authorizing this waiver. This waiver is applicable to any Entitlement CDBG grantee seeking to incur pre-award costs, whose Action Plan submission is delayed past the normal submission date because of delayed enactment of FY 2019 appropriations for the Department. An affected community applying this waiver shall document in writing the conditions giving rise to the need to use this waiver, and maintain the documentation for HUD's review. Grantees' authority to make use of this waiver is only in effect until August 16, 2019, as that is the last date that a grantee may submit its FY 2019 Action Plan.
3. 24 CFR 570.200(h)(1)(i) requires that the activity for which the costs are being incurred must be included in a Consolidated Plan/Action Plan prior to the costs being incurred; grantee compliance with steps 4 and 5 under the general pre-award cost provisions above will meet that requirement. However, grantees must also comply with §570.200(h)(1)(ii), which further specifies that the Plan must advise citizens of the extent to which the pre-award costs will affect future grants. CDBG grantees intending to incur pre-award costs are cautioned that option b. described in Section IV above is not likely to be a feasible alternative for them. HUD advises any Entitlement CDBG grantee intending to incur pre-award costs to follow the process described in Section IV. a. above; in doing so, the grantee will need to ensure that it has met the citizen participation and notification requirements above.
4. Pursuant to § 570.200(h)(1)(iii) and § 570.604, the costs and corresponding activities must comply with the environmental review requirements at 24 CFR Part 58.

### C. Additional Provisions: HOME Program

The HOME regulations specify situations under which a grantee may incur costs prior to the effective date of its grant agreement. The provisions of this Notice will affect how grantees comply with the pre-award cost reimbursement requirements.

1. 24 CFR 92.212(b) defines the effective date for incurring administrative and planning costs to be charged to the HOME allocation as the beginning of the participating jurisdiction's consolidated program year or the date that the Consolidated Plan is received by HUD (whichever is later). Under the provisions of this Notice, a participating jurisdiction's Action Plan may not be submitted to (and thus received by) HUD until several months after the PJ's program year start date. This may negatively affect a participating jurisdiction's ability to incur planning and administrative pre-award costs. Therefore, HUD has issued a waiver of 24 CFR 92.212(b) to the extent necessary to implement an alternative requirement: the effective date of a grantee's FY 2019 grant agreement will be considered to be the earlier of the participating jurisdiction's program year start date or the date that the Consolidated Plan/Action Plan (with actual allocation amounts) is received by HUD.
2. Attachment A contains the HUD memorandum authorizing this waiver. This waiver is applicable to any HOME participating jurisdiction seeking to incur pre-award administrative and planning costs, whose Action Plan submission is delayed past the normal submission date because of delayed enactment of FY 2019 appropriations for the Department. An affected participating jurisdiction applying this waiver shall document in writing the conditions giving rise to the need to use this waiver, and maintain the documentation for HUD's review. A participating jurisdiction's authority to make use of this waiver is only in effect until August 16, 2019, as that is the last date that a grantee may submit its FY 2019 Action Plan.

### D. Additional Provisions: ESG Program

An ESG grantee is permitted to incur pre-award costs against its FY 2019 grant, provided that the grantee has met the general conditions described in Section V.A., above, plus the following conditions:

1. The costs and corresponding activities must comply with the ESG Program regulations at 24 CFR Part 576.
2. The costs and corresponding activities must comply with environmental review requirements. The "Moving Ahead for Progress in the 21st Century Act" (MAP-21), (Public Law 112-141) made several changes to HUD's homeless assistance programs, including authorization to permit recipients and other responsible entities to assume HUD environmental review responsibilities in accordance with 24 CFR Part 58. Initially, for FY 2012 ESG funds, ESG projects were subject to the environmental review procedures under 24 CFR Part 50, which assigns HUD all environmental review responsibilities due to the HEARTH Act's repeal of Section 443 of the McKinney-Vento Homeless Assistance Act. Now, recipients or other Responsible Entities assume environmental review responsibilities

under 24 CFR Part 58.

E. Additional Provisions: HOPWA Program

A HOPWA grantee is permitted to incur pre-award costs against its FY 2019 grant, provided that the grantee has met the general conditions described in Section V.A., above, plus the following conditions:

1. The costs are incurred for eligible activities undertaken in accordance with HOPWA program regulations at 24 CFR Part 574.
2. The costs and corresponding activities must comply with environmental review requirements at 24 CFR 574.510.

F. Additional Provisions: HTF Program

HUD is authorizing HTF grantees to incur pre-award costs permitted under 24 CFR 200.458 for planning activities and preparation of the HTF allocation plan. Eligible pre-award costs may include the cost of public hearings, consultations, and publication of public notices, as well as developing program guidelines. Pre-award costs may not exceed 5% of the minimum allocation amount of \$3 million. This is one half of the grant amount that the state may use for administration and planning in accordance with 24 CFR 93.202, based on receiving a minimum grant amount. The costs and corresponding activities must comply with the environmental review requirements at 24 CFR 93.301(f).

**VI. Opportunity Zones**

Created by the 2017 Tax Cut and Jobs Act, the Opportunity Zone program is designed to stimulate private investment in designated, low-income census tracts nationwide. Since the passage of the law, Opportunity Zones (OZ) have been designated in all 50 states, the District of Columbia, Puerto Rico, and in Insular Areas.

Census tracts were eligible for designation as Opportunity Zones if they satisfied the definition of a “low-income community” (LIC) per § 45D(e) of the Internal Revenue Code. States were limited in the number of tracts they could designate as Opportunity Zones since the number of designated census tracts could not exceed 25 percent of the total number of tracts in the State that met the LIC definition.

The term “low-income community” means any census tract where: (a) the poverty rate for such tract is at least 20 percent, or (b)(i) in the case of a tract not located within a metropolitan area, the median family income for such tract does not exceed 80 percent of statewide median family income, or (b)(ii) in the case of a tract located within a metropolitan area, the median family income for such tract does not exceed 80 percent of the greater of statewide median family income or the metropolitan area median family income. For grantees who are familiar with using New Market Tax Credits (NMTC) as a source for community development finance, these eligibility criteria are the same as the requirements necessary to qualify for NMTC. It is worth noting that some non-LIC

tracts were also eligible for OZ designation if certain additional criteria were met.

This program incentivizes individuals and companies to invest equity in real estate projects or in businesses in these communities. It does so by enabling them to temporarily defer and reduce their tax liability on investments in privately- or publicly-managed Opportunity Funds. These Opportunity Funds must invest funds in real estate projects or businesses located in designated Opportunity Zones. Moreover, if investors leave their investments in these funds long-term, the profits they make on their Opportunity Fund investments will not be taxed.

HUD encourages Community Planning and Development (CPD) program grantees to consider the use of CDBG, HOME, ESG, HOPWA, and HTF funds for eligible activities in Opportunity Zones when developing their Consolidated Plans. CPD will be publishing further guidance in the near future which will provide additional information related to how program funds can be deployed to leverage Opportunity Zone financing.

In the interim, when considering strategies to facilitate the use of CDBG and Section 108 guaranteed loan funds in Opportunity Zones, CPD encourages grantees to explore whether these zones would also qualify as Neighborhood Revitalization Strategy Areas (NRSAs) under [CPD Notice 16-16](#). Compliance with certain CDBG requirements can be streamlined through the designation of NRSA's that may make it more feasible for grantees and their partners to leverage CDBG and Section 108 funds more quickly in Opportunity Zones.

## **VII. Applicability of This Notice to Future Years**

This Notice applies only to Consolidated Plans/Action Plans submitted for FY 2019 funding on or before August 16, 2019, or 60 days after HUD announcement of the FY 2019 allocation amounts for CDBG, ESG, HOME, and HOPWA funding (whichever is earlier). HUD anticipates revising the Consolidated Plan regulations (and other related regulations) to explicitly include, as a basis for disapproval of a Plan, that a Plan does not contain and reflect a grantee's actual allocation amount. For further information on potential rulemaking in this area, see HUD's June 3, 2015, Federal Register Notice (80 FR 31538). That document solicited public comments on possible amendments to the Consolidated Plan regulations and the CDBG Entitlement regulations to effect such a change. See in particular Sections II.B.1., II.B.2 and II.B.7 of the Notice, pages 31544 and 31546. (Please note, however, that the public comment period for that Federal Register Notice has closed.)

### **For further information:**

Grantees with questions concerning this Notice should direct their inquiries to their local HUD Field Office Community Planning and Development Division. Field Offices should direct their questions to the following Headquarters program offices as applicable:

Office of Block Grant Assistance at (202) 708-1577 for the Entitlement CDBG program or (202) 708-1322 for the State CDBG program

Office of Affordable Housing Programs at (202) 708-2684

Office of Special Needs Assistance Programs at (202) 708-4300

Office of HIV/AIDS Housing at (202) 708-1934 or at [hopwa@hud.gov](mailto:hopwa@hud.gov)

## ATTACHMENT A





U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT  
WASHINGTON, DC 20410-7000

ASSISTANT SECRETARY FOR  
COMMUNITY PLANNING AND DEVELOPMENT

NOV 30 2018

MEMORANDUM FOR: Community Planning and Development Field Office  
Division Directors

FROM:   
Neal Rackleff, Assistant Secretary, D

SUBJECT: Availability of Waivers of Community Planning and Development  
Grant Program Requirements to Facilitate the Ability to Incur  
Pre-Award Costs in FY 2019

PURPOSE:

This memorandum explains the availability of waivers of certain statutory and regulatory requirements associated with two Community Planning and Development (CPD) grant programs to facilitate the continuation of eligible activities and ongoing planning and administrative costs due to a delay by HUD in the receipt of annual appropriations for FY 2019. This memorandum covers the following CPD programs:

- Community Development Block Grant (CDBG), and
- HOME Investment Partnerships (HOME)

BACKGROUND:

HUD is issuing procedures to govern the submission and review of action plans for FY 2019 funding prior to the enactment of a FY 2019 appropriation bill. Grantees are advised to not submit a consolidated plan or action plan until the FY 2019 formula allocations have been announced. However, an action plan must be submitted to HUD no later than August 16, 2019.

The likelihood of delays in the receipt of annual appropriations by HUD and implementation of these procedures for FY 2019 may have negative consequences for CDBG and HOME grantees that intend to incur eligible costs prior to the award of FY 2019 funding. Some activities might otherwise be interrupted, and grantees might not otherwise be able to use CDBG or HOME funds for planning and administrative costs of administering their programs.



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 8.I.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Linda Charles of Citizens' Climate Lobby

**DATE:** March 21, 2019

**SUBJECT: ADOPT A RESOLUTION OF SUPPORT FOR HR 763: THE ENVIRONMENTAL INNOVATION AND CARBON DIVIDEND ACT, AS RECOMMENDED BY THE SEASIDE ENVIRONMENTAL COMMITTEE**

---

### **PURPOSE & RECOMMENDATION**

Adopt a resolution of support for the Environmental Innovation and Carbon Dividend Act (hr 763).

### **BACKGROUND**

Our fellow cities of Marina, Monterey, Pacific Grove and Carmel by the Sea all adopted resolutions in support of a Carbon Fee and Dividend Program developed and advocated by the Citizens' Climate Lobby, as a predecessor to HR 763.

At a regular meeting of Seaside's Environmental Committee (EC) in November 2018, Linda Charles and Lee Hedgepeth of Citizens' Climate Lobby gave a presentation to the EC regarding the Carbon Fee and Dividend legislation. After consideration and discussion at subsequent EC meetings in 2019, the committee drafted an unanimously approved a Memorandum of Support (Attachment 3) regarding Council's consideration of adopting a Resolution for HR 763: The Environmental Innovation and Carbon Dividend Act.

### **FISCAL IMPACT**

### **ATTACHMENTS**

1. DraftResolution
  2. Attachment 1: CCL Cover Letter
  3. Attachment 2: CCL About Us
  4. Attachment 3: Environmental Committee Memorandum
  5. Attachment 4: HR 763 Infographic
  6. Attachment 5: WSJ Article
  7. Attachment 6: The Guardian Article
  8. Attachment 7: Letter of Support
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager

## **RESOLUTION NO. 19-XX**

### **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE**

#### **ENERGY INNOVATION AND CARBON DIVIDEND ACT, HR 763**

**WHEREAS**, the City Council acknowledges that the ocean mitigates climate change impacts on land by absorbing roughly 30% of the heat generated by carbon pollution and is our best buffer against extreme heat, and the planet’s last stand against climate disaster; and

**WHEREAS**, the City Council acknowledges that urgent scientific warnings tell us we have only about a decade to take decisive action to avoid climate catastrophe. The 2018 report of the Intergovernmental Panel on Climate Change (<https://www.ipcc.ch/sr15/chapter/summary-for-policy-makers/>) finds that limiting global warming to 1.5°C would require deep emissions reductions in all sectors (energy, land, infrastructure, and industrial systems). Further, the report advises that if we heed climate models that keep warming below 1.5 degrees, global emissions of carbon dioxide (CO<sub>2</sub>) will fall by 45% from 2010 levels by 2030, reaching ‘net zero’ around 2050; and

**WHEREAS**, the City Council acknowledges that ocean warming stresses economically important ecosystems, it is safe to assume that these impacts are already affecting Monterey Bay; and

**WHEREAS**, the City Council acknowledges that the early adoption of the Energy Innovation and Carbon Dividend Act, H.R. 763—based on CCL’s Carbon Fee and Dividend plan—proposed by bipartisan sponsors from the Climate Solutions Caucus in the House of Representatives would grow our economy, would help make us a world leader in creating clean energy technologies, and help to establish the United States as a leader in making the conversion to renewables a reality to help protect the planet; and \_; and

**WHEREAS**, the City Council acknowledges the determination that that this approach would be fair to everyone and would protect middle- and low-income households (2/3 of all U.S. households) by providing them with a monthly dividend (rebate) that, on average, would be higher than the increased costs for energy during the transition of the country to cleaner energy; and \_; and

**WHEREAS**, the City Council acknowledges that per the non-partisan study by Regional Economic Models, Inc. (REMI), this approach would ensure a substantial increase in private investment in cleaner energy options because they will become significantly less expensive relative to fossil fuels within a known time frame. This would encourage consumers and businesses to keep their carbon footprint smaller while still keeping energy affordable; and \_; and

**WHEREAS**, the City Council acknowledges that The many direct climate change impacts anticipated for Monterey County include increases in air temperatures and shifts in precipitation with increased risk of wildfire, higher sea levels with flooding and salt water intrusion, and ocean acidification with stresses on the ocean food chain. According to a recent report of the United States Global Change Research Program, “Leaders and residents of coastal regions are increasingly aware of the high vulnerability of coasts to climate change and are

developing plans to prepare for potential impacts on citizens, businesses, and environmental assets;” and\_ ; and

**WHEREAS**, the City Council acknowledges that it has been determined that the early adoption of the proposed national revenue-neutral carbon fee and dividend legislation in the United States— action that would will levy an annually increasing fee on carbon emissions on fossil fuels at the point of extraction or importation and return the collected fees to all American households as a monthly dividend—would grow the economy by adding nearly two million new jobs, would help make us a world leader in creating clean energy technologies, and also help to establish the United States as a leader in making the conversion to renewables a reality to help protect the planet. \_ ; and

**NOW THEREFORE BE IT RESOLVED**, the **City Council of the City of Seaside** **support that** United States Congress immediately pass the Environmental Innovation and Carbon Dividend Act, H.R. 763, and that the United States President sign the bill into law.

**BE IT FURTHER RESOLVED** that the response in combating climate change to mitigate its worst effects should be implemented with the speed appropriate to the gravity and urgency of the situation, and for that reason, the Mayor shall send a letter no later than 30 days after passage of this Resolution to the Governor and all Mayors and City Councils, School Boards, and State and Federal Legislators in Monterey, San Benito, and Santa Cruz Counties urging their support (if they have not supported already) for H.R. 763, the Environmental Innovation and Carbon Dividend Act or Carbon Fee and Dividend.

**PASSED AND ADOPTED** at the regular meeting of the City Council of the City of Seaside duly held on the 7th day of March 2019 by the following vote:

AYES: COUNCILMEMBERS:  
NOES: COUNCILMEMBERS:  
ABSENT: COUNCILMEMBERS:  
ABSTAIN: COUNCILMEMBERS:

---

Ian N. Oglesby

---

Lesley Milton-Rerig, City Clerk

**Honorable Mayor and City Council**

Environmental Innovation and Carbon Dividend Act, H.R. 763

**March 7, 2019**

**Page 3**



Dear Seaside City Council Members:

Thank you for allowing us to bring our message to you and thanks for considering our resolution.

In this packet you will find:

- About CCL Monterey, telling you who we are and why we have approached the Seaside City Council
- The Seaside Resolution of Support for H.R. 763, The Energy Innovation and Carbon Dividend Bill
- An InfoGraphic describing H.R. 763
- From the Wall Street Journal: Economists' Endorsement Letter
- From The Guardian: excerpt from an article describing enactment of Carbon Pricing Law in Canada drawn from the same proposal as H.R. 763
- A personal letter written by a recent CSUMB grad who was a student and Seaside resident at the time of writing

Thank you.

Linda Charles  
Maribel Andonian  
Co-Leaders  
Citizens' Climate Lobby Monterey

## About Citizens' Climate Lobby Monterey

The Monterey chapter of Citizens' Climate Lobby (CCL), is part of an international organization with 504 chapters in the United States and around the world. Inspired by Dr. Steve Webster (co-founder of the Aquarium) our chapter was formed in early 2015 by a group of folks committed to improving the health of the planet.

**We are convinced, based on overwhelming scientific evidence, that global warming is happening and is primarily caused by carbon dioxide (CO<sub>2</sub>) emitted into the atmosphere when we burn fossil fuels.**

We believe the best solution for global warming is to put an accurate price on carbon (CO<sub>2</sub>) upon extraction according to CCL's Carbon Fee and Dividend (CFD) plan.

Our chapter goal is to build political will among local elected officials to support the concept of CFD and the current bill modeled on CFD, the **Energy Innovation and Carbon Dividend Act of 2019**, H.R. 763. In pursuit of our goal, we reach out to county leaders and community organizations to raise awareness of the serious nature of climate change especially as it will impact us locally. We believe that a well-informed and educated constituency will encourage local politicians to support carbon-pricing solutions. Local support should, in turn, generate political will among our elected members of Congress (MOC) to enact federal climate solutions that will strengthen support for the previous U.S. commitment to reduce carbon emissions and preserve a livable future.

We are determined to obtain passage of the **Energy Innovation and Carbon Dividend Act of 2019**. Municipal resolutions—such as the one on your March 7 agenda—in support of carbon pricing will strongly encourage our Congressional representatives to acknowledge the will of their constituents by passing this critical legislation. **We are pleased that in 2017 we obtained three municipal resolutions from the cities of Monterey, Marina, and Pacific Grove. (Our sister chapter in Santa Cruz obtained resolutions from the cities of Santa Cruz, Capitola, and Watsonville, and the Santa Cruz Board of Supervisors.) Carmel-By-The-Sea joined this forward-thinking group in April of this year, as did the Monterey Board of Supervisors.** All of the cities and counties cited above are in Congressman Jimmy Panetta's Congressional district, CA20.

We who care about the planet take hope from the many climate groups and activists throughout the country that are working to defend and protect the progress that was made over the last decade to preserve the environment. With the very real threat of sliding backwards because of the current administration's destructive policies, citizen groups are needed to fill the void. Cities and states, and their Mayors and Governors are already taking the lead, speaking out to encourage elected leaders who share our concern for the planet to stand strong in the coming years.

Each chapter of Citizens' Climate Lobby in the U.S. is focused on one congressional district and a major effort of those chapters is to encourage their Member of Congress (MOC) to join the bi-partisan Climate Solutions Caucus. The Caucus grew to 90 members in the 115<sup>th</sup> Congress, 45 Democrats and 45 Republicans. The numbers in the 116<sup>th</sup> Congress have yet to be determined. To demonstrate his commitment to climate advocacy, Monterey's Member Of Congress, Mr. Panetta joined the Climate Solutions Caucus in June of 2017 with a Republican counterpart. The Caucus is rebuilding after the 2016 midterm elections to regain the critical mass needed to affect national climate legislation. We need to support them in these difficult times and encourage them to act on behalf of future generations to make the **Energy Innovation and Carbon Dividend Act of 2019** the law of the land!



# MEMORANDUM

City of Seaside  
Environmental Committee

Date: February 12, 2019  
To: Seaside City Council  
From: City of Seaside Environmental Committee  
Subject: Proposed Adoption of Resolution Supporting HR 763

Seaside's Environmental Committee would like to express support for a resolution regarding the Environmental Innovation and Carbon Dividend Act, HR 763, as proposed to the Seaside City Council. The bill is structured to inspire innovation in our society by placing a fee on all fossil-fuel extraction (foreign and domestic) while also protecting the most vulnerable of society through the provision of a dividend to every citizen, generated by the fees.

Previously, our fellow cities of Marina, Monterey, Pacific Grove and Carmel by the Sea all adopted resolutions in support of a Carbon Fee and Dividend Program developed and advocated by the Citizens' Climate Lobby, as a predecessor to HR 763. The Environmental Committee believes it is in the interest of the city and people of Seaside to express our support for this initiative now. The economy and environment of our coastal city is and will be impacted by climate change, along with our neighbors. We acknowledge the need for collective and urgent action to address the issue. We are encouraged by the bipartisan support for this bill at the Federal level.

Supported at a regular meeting of the Environmental Committee of the City of Seaside, State of California, on the 12<sup>th</sup> day of February, 2019, by the following vote:

AYES: Molle, Coble, Murphy, Abraham-Panni, Raak, Del Valle, Hawran

NOES:

ABSENT:

ABSTAIN:

*Lacey M. Raak*

Lacey Raak, Chairperson

ATTEST:



Beth Rocha, Environmental Committee Staff Liaison / Associate Planner

# Energy Innovation AND Carbon Dividend Act

## THE BIPARTISAN CLIMATE SOLUTION

H.R. 763

This bill will drive down America's carbon pollution and bring climate change under control. It is:

EFFECTIVE



GOOD FOR PEOPLE



GOOD FOR THE ECONOMY



REVENUE NEUTRAL



### Republicans and Democrats agree



Charge a fee on fossil fuels at the source (mine, well, or port)



Return 100% of net revenue to households as a dividend

### This benefits people, the economy, and the environment

#### FAMILIES GET PAID

TODAY

\$0  
paid to households  
in carbon dividends



THE FUTURE

**\$3,456**  
annual dividend for a family of 4



**\$500**  
average extra  
pocket money  
per person  
each year

The money goes back to households as a monthly carbon dividend.

You choose how to spend it.

Which means...



**2.1 million**  
**LOCAL JOBS**  
across America

With this policy, most people receive more in carbon dividends than they pay in increased costs for fuel or other products. They will have more money in their wallets to spend in their communities, generating new jobs.

Meanwhile, energy companies and leading industries are motivated to pollute less and save money.

Which means...

#### JOBS ARE CREATED

TODAY

\$240 billion  
in annual costs from  
environmental and health  
harms of fossil fuels



THE FUTURE

**2.1 million**  
jobs created over 10 years  
in local communities

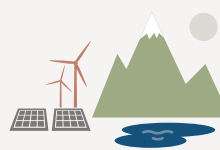


#### A HEALTHIER ENVIRONMENT



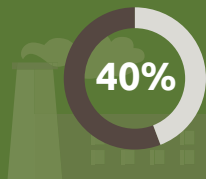
TODAY

**114,000** lives lost  
each year due to air pollution



THE FUTURE

**295,000** lives saved  
through 2030 because  
of better air quality



**less carbon emissions**  
**over the next 12 years**

A carbon fee and dividend will create cleaner air and a stable climate for you and your family.

Sources for statistics available at: <https://energyinnovationact.org/data-sources>

# Economists' Statement on Carbon Dividends

Bipartisan agreement on how to combat climate change.

Jan. 16, 2019 6:55 p.m. ET



Global climate change is a serious problem calling for immediate national action. Guided by sound economic principles, we are united in the following policy recommendations.

I. A carbon tax offers the most cost-effective lever to reduce carbon emissions at the scale and speed that is necessary. By correcting a well-known market

failure, a carbon tax will send a powerful price signal that harnesses the invisible hand of the marketplace to steer economic actors towards a low-carbon future.

II. A carbon tax should increase every year until emissions reductions goals are met and be revenue neutral to avoid debates over the size of government. A consistently rising carbon price will encourage technological innovation and large-scale infrastructure development. It will also accelerate the diffusion of carbon-efficient goods and services.

III. A sufficiently robust and gradually rising carbon tax will replace the need for various carbon regulations that are less efficient. Substituting a price signal for cumbersome regulations will promote economic growth and provide the regulatory certainty companies need for long-term investment in clean-energy alternatives.

IV. To prevent carbon leakage and to protect U.S. competitiveness, a border carbon adjustment system should be established. This system would enhance the competitiveness of American firms that are more energy-efficient than their global competitors. It would also create an incentive for other nations to adopt similar carbon pricing.

V. To maximize the fairness and political viability of a rising carbon tax, all the revenue should be returned directly to U.S. citizens through equal lump-sum rebates. The majority of American families, including the most vulnerable, will benefit financially by receiving more in “carbon dividends” than they pay in increased energy prices.

*George Akerlof, Robert Aumann, Angus Deaton, Peter Diamond, Robert Engle, Eugene Fama, Lars Peter Hansen, Oliver Hart, Bengt Holmström, Daniel Kahneman, Finn Kydland, Robert Lucas, Eric Maskin, Daniel McFadden, Robert Merton, Roger Myerson, Edmund Phelps, Alvin Roth,*

*Thomas Sargent, Myron Scholes, Amartya Sen, William Sharpe, Robert Shiller, Christopher Sims, Robert Solow, Michael Spence and Richard Thaler are recipients of the Nobel Memorial Prize in Economic Sciences.*

*Paul Volcker is a former Federal Reserve chairman.*

*Martin Baily, Michael Boskin, Martin Feldstein, Jason Furman, Austan Goolsbee, Glenn Hubbard, Alan Krueger, Edward Lazear, N. Gregory Mankiw, Christina Romer, Harvey Rosen and Laura Tyson are former chairmen of the president's Council of Economic Advisers.*

*Ben Bernanke, Alan Greenspan and Janet Yellen have chaired both the Fed and the Council of Economic Advisers.*

*George Shultz and Lawrence Summers are former Treasury secretaries.*

*More information is available at [www.clcouncil.org](http://www.clcouncil.org).*

# Canada passed a carbon tax that will give most Canadians more money

[Dana Nuccitelli](#) Fri 26 Oct 2018 03.15 EDT

**By rebating the revenue to households, disposable income rises, which can be a boon for the Canadian economy**

Last week, Prime Minister Justin Trudeau announced that under [the Greenhouse Gas Pollution Pricing Act](#), Canada will implement a revenue- neutral carbon tax starting in 2019, fulfilling [a campaign pledge he made in 2015](#).

The federal carbon pollution price will start low at \$20 per ton in 2019, rising at \$10 per ton per year until reaching \$50 per ton in 2022. The carbon tax will stay at that level unless the legislation is revisited and revised.

This is a somewhat modest carbon tax – after all, [the social cost of carbon is many times higher](#) – but it's [a higher carbon price than has been implemented in most countries](#). Moreover, a carbon tax doesn't necessarily have to reflect the social cost of carbon. The question is whether it will be sufficiently high to meet the country's climate targets.

## **Paris was a key motivator behind the Canadian carbon tax**

The Preamble in the Act is worth reading. It begins by noting “there is [broad scientific consensus](#) that anthropogenic greenhouse gas emissions contribute to global climate change” (this is somewhat understated – [carbon pollution is the dominant factor](#)). It also notes that Canada is already feeling the impacts of climate change through factors like “coastal erosion, thawing permafrost, increases in heat waves, droughts and flooding, and related risks to critical infrastructures and food security.”

The Preamble also notes that in 1992, Canada signed the [UNFCCC](#) whose objectives include “the stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system,” and that Canada ratified [the Paris Agreement](#), whose aims include limiting global warming to [less than 2°C above pre-industrial temperatures](#).

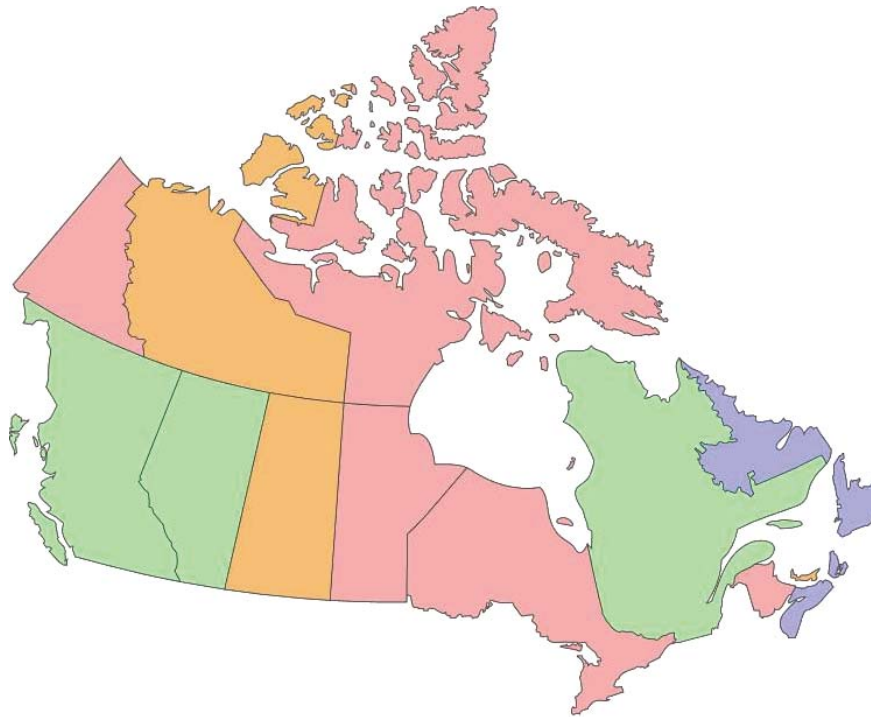
Canada's Paris commitment requires cutting its carbon pollution by 30% below 2005 levels by 2030. Prior to the implementation of the carbon tax, its policies were rated [Highly Insufficient](#) to meet that goal. Instead Canada's emissions were on track to fall only about 4% below 2005 levels by 2030. So, the carbon tax is an important policy to close that gap.



## Some provinces already have carbon pricing in place

Several Canadian provinces have already implemented or plan to implement carbon pricing systems. British Columbia, Alberta, and Quebec already have such systems in place; [the Canadian government noted](#) that these provinces were “among the top performers in GDP growth across Canada in 2017.”

Provinces whose carbon prices meet the federal standards are already in compliance, so the new law won't apply to them. Several other provinces (Northwest Territories, Nova Scotia, Prince Edward Island, Newfoundland and Labrador) have planned or proposed carbon pricing systems that will meet the federal requirements. The federal carbon tax will be applied to the remaining provinces.



Green indicates that the province's own carbon pricing system meets the federal standards. Purple and orange indicate a province's planned or proposed carbon pricing will meet the federal standards, respectively. Red indicates that the federal carbon pricing will apply to the province. Illustration: Dana Nuccitelli

## Energy prices will rise

A \$20/ton carbon tax translates into a 16.6 cent per gallon surcharge on gasoline. So, in 2022, the \$50/ton carbon tax will increase Canadian gasoline prices by about 42 cents per gallon (11 cents per liter). For comparison, the average price of gasoline in Canada is [\\$1.43 per liter](#), so that would be about an 8% gasoline price increase in 2022.

The price of coal would more than double, with a carbon tax surcharge of about \$100 per ton in 2022. Natural gas prices will rise by about 10 cents per cubic meter in 2022 compared to current prices of around 13 cents per cubic meter – about a 75% increase. This will increase demand for cheaper carbon-free electricity. However, [Canada](#) already supplies about 60% of its electricity through hydroelectric generation and 16% from nuclear – only about 20–25% comes from fossil fuels.

For that reason, only 11% of Canada's carbon pollution comes from generating electricity. The [industrial sector is responsible for the biggest chunk](#) of Canadian carbon pollution (40%). It will not be subjected to the carbon tax, but rather to [an Output-Based Allocations system](#) (similar to cap and trade).

## But rebates will more than offset higher fuel costs

One key component of the federal carbon tax is that it's revenue-neutral, similar to [the policy proposal from Citizens' Climate Lobby](#). All the taxed money will be distributed back to the provinces from which they were generated. The provinces will in turn rebate about 90% the revenues back to individual taxpayers. The rebates are anticipated to exceed the increased energy costs for about 70% of Canadian households.

For example, a [Manitoba](#) family will receive a \$336 rebate in 2019 compared to its increased costs of \$232. A similar family in [Saskatchewan](#) will receive \$598 compared to its higher costs of \$403. In [Ontario](#), families will receive \$300 to offset its \$244 in carbon taxes. And in [New Brunswick](#) a \$248 rebate more than offsets the average household cost of \$202. The rebates will more than double by 2022 as the carbon tax rises, and [the net financial benefit to households will grow over time...](#)

(Excerpted from <https://www.theguardian.com/environment/climate-consensus-97-per-cent/2018/oct/26/canada-passed-a-carbon-tax-that-will-give-most-canadians-more-money>)



**To the local government officials and residents,**

I am a student at California State University, Monterey Bay. I'm writing to you for your support and help with our cause. As you may already know, climate change threatens the economic security of our community and nation. As a student about to enter the workforce, I want to face a stable economy both now and in the future years to come. On top of our mounting school loan debts, my fellow peers and I will have to pay the social costs of carbon pollution, such as increased public health expenses and even repairing damages made to the environment.

There are many companies that profit from us purchasing their products while releasing unacceptable amounts of carbon into our atmosphere. But this is not fair since we *all* pay for the damage they cause to the environment. The estimated value of treating public health illnesses such as asthma, heart, and lung disease and the resulting lost business days is thought to amount to tens of *billions* of dollars. That is a liability that my generation will inherit. As a student, I look forward to a future in which I will be able to provide for myself and contribute to my family's welfare. For my sake and that of all young people and generations to come, we need sensible carbon pricing legislation like the Carbon Fee and Dividend proposal that will reduce carbon pollution, cool the climate, grow the economy, and most importantly save lives. Thank you for your time and consideration.

Respectfully,

Caitlyn Barrera



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 8.J.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Rick Riedl, City Engineer  
Dave Fortune, Maintenance and Utilities Superintendent

**DATE:** March 21, 2019

**SUBJECT: AUTHORIZATION TO DISPOSE OF SURPLUS CITY VEHICLES  
AND EQUIPMENT**

---

### **PURPOSE & RECOMMENDATION**

The purpose of this item is to obtain City Council approval for the disposal of City vehicles and equipment that are no longer needed and considered excess due to inoperability or poor condition. It is recommended that the City Council approve the disposal of the vehicles and equipment identified in this report.

### **BACKGROUND**

Section 2.49 of the Seaside Municipal Code addresses the disposal of surplus items no longer needed or usable by any City department. It requires the City Manager to provide an itemized list of property to the City Council valued in excess of \$100.00. Should the Council determine the items are no longer usable by the City, the City Manager or his designee will have the authority to dispose of all such items. Disposal would be accomplished by sale, auction or donation to any nonprofit organization or governmental entity providing services to the City or its residents, or to any Seaside Sister City.

The list of vehicles and equipment below is no longer needed by the City. It has either been replaced by new equipment or reached the end of its useful life. The plan is to sell the vehicles and equipment on the list using Public Surplus.com which is an online auction site for government vehicles and equipment. Anything that is not sold at the auction would be donated or sold to a recycling facility. The values placed on this equipment were estimated using the best judgment of the staff from Public Surplus.com.

## City of Seaside Surplus Equipment

| Item         | Model Number   | Serial Number       | Value   |
|--------------|----------------|---------------------|---------|
| Weed Eater   | T231 Shindaiwa | 5126897             | \$25.00 |
| Weed Eater   | T272 Shindaiwa | 4102579             | \$25.00 |
| Weed Eater   | T272 Shindaiwa | 4102578             | \$25.00 |
| Weed Eater   | T231 Shindaiwa | 604298              | \$25.00 |
| Weed Eater   | 4MIX Stihl     | 269712690           | \$25.00 |
| Eco-Blower   | P.V. 23ILN     | 06011275            | \$25.00 |
| Eco-Blower   | P.V. 23ILN     | 0600501             | \$25.00 |
| Stihl Blower | B655           | 26278327            | \$25.00 |
| Stihl Blower | H580           | 60651149            | \$25.00 |
| Weed Eater   | Husqvarna      | 9680518021040660475 | \$25.00 |
| Weed Eater   | Stihl Mix      | 269712690           | \$25.00 |

## City of Seaside Surplus Vehicles

| Description | Make          | Model          | Yr   | Dept | Miles    | Value          |
|-------------|---------------|----------------|------|------|----------|----------------|
| Vehicle     | Ford          | Crown Victoria | 2007 | PW   | 120,000  | <u>\$2,500</u> |
| Vehicle     | Ford          | Crown Victoria | 2001 | PW   | 121,379  | <u>\$1,500</u> |
| Vehicle     | Ford          | Taurus         | 1998 | PW   | 97,641   | <u>\$1,500</u> |
| Vehicle     | Dodge         | B3500          | 1990 | PW   | 112,706  | <u>\$250</u>   |
| Vehicle     | Dodge         | B3500          | 1990 | PW   | 125,613  | <u>\$250</u>   |
| Vehicle     | GMC           | C3500          | 1985 | PW   | 11,857   | <u>\$1,500</u> |
| Vehicle     | GMC           | C3500          | 1985 | PW   | 88,742   | <u>\$1,500</u> |
| Vehicle     | Kawasaki      | KZ1000         | 2000 | PW   | 45,000   | <u>\$500</u>   |
| Vactor      | International | Vac/Jet        | 2000 | PW   | 73,613   | <u>\$5,000</u> |
| Vehicle     | Toro          | Mower          | 2005 | PW   | 2,500hrs | <u>\$3,500</u> |
| Vehicle     | GMC           | G30            | 1991 | PW   | 18,439   | <u>\$3,500</u> |

## **FISCAL IMPACT**

If the City Council approves of the disposal of the vehicles and equipment, sales could generate approximately \$21,775.00

## **ATTACHMENTS**

None

---

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 9.A.**

**TO:** City Council

**BY:** Roberta Greathouse, Human Resources Director/Risk Manager

**DATE:** March 21, 2019

**SUBJECT: APPROVE A RESOLUTION MODIFYING THE POSITION  
ALLOCATION LIST TO ADD ONE ASSISTANT CITY ATTORNEY  
AND AUTHORIZE THE FINANCE DIRECTOR TO MAKE THE  
NECESSARY BUDGET ADJUSTMENTS**

---

### **PURPOSE & RECOMMENDATION**

It is recommended that the City Council adopt the resolution modifying the Position Allocation List to add one Assistant City Attorney and authorize the Finance Director to make the necessary budget adjustments.

### **BACKGROUND**

City Attorney Don Freeman will be retiring at the end of June. This position will provide for a transfer of knowledge between he and the next City Attorney as well as provide the needed staffing to perform additional duties required of the City Attorney's office (such as short term rental enforcement).

It is recommended the salary for this position be set at \$150,000 annually. The position will be exempt under the Fair Labor and Standards Act and the benefits will follow the benefits outlined in the Executive Managers' Compensation Plan.

### **FISCAL IMPACT**

This position was not included in the FY2018/19 budget. It is estimated that the total cost of this position including benefits would be \$200,000. The estimated cost of \$50,000 for the balance of FY2018/19 would be funded through the use of General Fund balance. Funding for ongoing costs will be addressed through the FY2019/20 budget.

### **ATTACHMENTS**

1. Draft Resolution
  2. Job Description: Seaside Asst City Attorney Draft
-

**RESOLUTION NO. 19-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEASIDE APPROVING THE  
MODIFICATION OF THE CITY'S POSITION ALLOCATION LIST TO ADD ONE  
ASSISTANT CITY ATTORNEY**

**WHEREAS**, the City's Classification Plan of positions may be amended on recommendation of the City Manager and approval by the City Council; and

**WHEREAS**, there is a need to add one Assistant City Attorney position to the City Attorney's Office; and

**WHEREAS**, with this change, the City Attorney's Office will be allocated one City Attorney and one Assistant City Attorney; and

**WHEREAS**, the Finance Department is authorized to make any budget adjustments that are necessary as a result of this change.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Seaside hereby approves the addition of one Assistant City Attorney to the Position Allocation List.

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Seaside duly held on the 21<sup>st</sup> day of March by the following vote:

|          |                  |
|----------|------------------|
| AYES:    | COUNCIL MEMBERS: |
| NOES:    | COUNCIL MEMBERS: |
| ABSENT:  | COUNCIL MEMBERS: |
| ABSTAIN: | COUNCIL MEMBERS: |

---

Ian Oglesby, Mayor  
City of Seaside

ATTEST:

---

Lesley Milton, City Clerk



**April 2019**  
**FLSA: EXEMPT**

## **DRAFT** **ASSISTANT CITY ATTORNEY**

### **DEFINITION**

Provides a wide range of professional legal services to the City Council, City Departments, and various boards and commissions as directed by the City Attorney.

### **SUPERVISION RECEIVED AND EXERCISED**

Receives general supervision from the City Attorney. May exercise technical or functional supervisor over professional attorneys and clerical staff.

### **CLASS CHARACTERISTICS**

This is the advanced journey-level class in the legal series. This class performs exercises independent judgement in performing complex and difficult work assignments. This position will act at the City Attorney in her / his absence.

### **EXAMPLES OF ESSENTIAL FUNCTIONS (Illustrative Only)**

*Management reserves the right to add, modify, change, or rescind the work assignments of different positions and to make reasonable accommodations so that qualified employees can perform the essential functions of the job.*

- Perform legal research and prepare written and oral opinions on various legal problems.
- Confer with and render legal assistance to the City Council, Department Directors, and other staff regarding a variety of municipal issues.
- Provide legal updates and training to the Council, staff, and commissioners.
- Recommend changes in policies and procedures to comply with legal requirements.
- Prepare, draft, and review ordinances, resolutions, contracts, deeds, and other legal documents. Offer legal opinions as to legal acceptability when documents are presented to the City for consideration by an outside agency or agent.
- Prepare cases for, and represent the City at, trial and hearings.
- Monitor, supervise, and assist with cases handled by outside legal counsel.
- Investigate complaints and claims against the City and take or recommend appropriate action.
- Respond to citizen complaints.
- Represent the City Attorney at City Council, board and commission meetings, and in court when necessary.
- Prosecute for civil and criminal remedies to enforce City ordinances, abate public nuisances, recover damages to City property, condemn property for public purposes, and other matters.
- Assist in the supervision of clerical staff, contract, and subordinate professionals.
- Perform other duties as assigned.



## **QUALIFICATIONS**

### **Knowledge of:**

- Legal principles and practices including civil, criminal, constitutional, and administrative law and procedures.
- Applicable Federal, State, and local statutes, rules, regulations and case law pertaining to local government and specifically municipal corporations.
- Organizations and public agencies in Monterey County.
- Methods of research and writing.
- Techniques for providing a high level of customer service by effectively dealing with the public, vendors, contractors, and City staff.

### **Ability to:**

- Analyze a wide variety of legal issues.
- Conduct research on legal problems and prepare sound legal opinions.
- Analyze and /or prepare a wide variety of legal documents.
- Prepare and present statements of law, fact, and argument clearly and logically.
- Perform legal work requiring the use of independent judgement.
- Work independently in the absence of supervision.
- Operate modern office equipment including computer equipment and specialized software applications programs.
- Use English effectively to communicate in person, over the telephone, and in writing.
- Use tact, initiative, prudence, and independent judgment within general policy, procedural, and legal guidelines.
- Establish, maintain, and foster positive and effective working relationships with those contacted in the course of work.

### **Education and Experience:**

*Any combination of training and experience that would provide the required knowledge, skills, and abilities is qualifying. A typical way to obtain the required qualifications would be:*

Equivalent to a minimum of five years of professional legal experience with three years of experience working for a governmental agency including municipal or county counsel, special district counsel, or private law firm providing legal support to local government clients. Municipal experience is highly desirable.

### **License:**

- Active membership in the State Bar of California.
- Valid California drivers' license.

## **PHYSICAL DEMANDS**

Must possess mobility to work in a standard office setting and use standard office equipment, including a computer; vision to read printed materials and a computer screen; and hearing and speech to communicate in person, before groups, and over the telephone. This is primarily a sedentary office classification although standing and walking between work areas may be

required. Finger dexterity is needed to access, enter, and retrieve data using a computer keyboard or calculator and to operate standard office equipment. Positions in this classification occasionally bend, stoop, kneel, reach, push, and pull drawers open and closed to retrieve and file information.

### **ENVIRONMENTAL ELEMENTS**

Employees work in an office environment with moderate noise levels, controlled temperature conditions, and no direct exposure to hazardous physical substances.

### **ADDITIONAL INFORMATION**

This position is required to work evenings, nights, and weekends as needed.



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 9.B.**

**TO:** City Council

**BY:** City Attorney Don Freeman

**DATE:** March 21, 2019

**SUBJECT: RECEIVE, DISCUSS AND PROVIDE DIRECTION ON THE  
FINANCIAL AUDIT OF COUNCIL MEMBER EXPENSES**

---

### **PURPOSE & RECOMMENDATION**

To receive the audit report, and direct staff to prepare policy changes to implement the policy recommendations stated in the audit report, and direct the City Attorney to pursue collection of unauthorized expenditures.

### **BACKGROUND**

The City Council retained the audit firm of CliftonLarsenAllen in October of 2018 to conduct a forensic audit on Council Member expenditures commencing July 2, 2015 through October 31, 2018. The contract additionally requested the Consultant to bring back recommendations to improve financial accountability in the City.

The report has been completed and has been released to the public and the full City Council. The Executive Summary is included as Attachment A. The full audit report and exhibits totals 1,057 pages has been posted on Access Seaside, the City's transparency Portal and is available at the following link: <https://seasidecityca.documents-on-demand.com/document/b7e42548-1341-e911-a2cb-000c29a59557/City%20of%20Seaside%20Forensic%20Financial%20Investigation%20-%20Full%20Report%20With%20Exhibits.pdf&fromFrame=1>

The recommendation for this item is the following:

1. Receive the audit report;
2. Direct staff to prepare policy changes to implement the policy recommendations stated in the audit report; and
3. Direct the City Attorney to pursue collection of unauthorized expenditures.

### **FISCAL IMPACT**

The total invoices paid for the services of CliftonAllenLarsen for conducting the fiscal audit was \$40,000 as approved by the City Council. There are no additional fiscal impact associated with the staff recommended action.

### **ATTACHMENTS**

1. 2019-01-18 City of Seaside Financial Investigation -Report Only
-



January 18, 2019

**Report of Investigation**

**Forensic Accounting  
and Investigative  
Services**

**City of Seaside**

*Prepared by:*

**Jenny Dominguez, CPA, CFF, CFE**  
Jenny.Dominguez@CLAAconnect.com  
Phone (626) 857-7300

January 18, 2019

Mr. Donald Freeman, City Attorney  
City of Seaside  
P.O. Box 805  
Carmel, CA 93921

**Re: City of Seaside – Forensic Accounting and Investigative Services – Report of Investigation**

Dear Mr. Freeman,

Attached is our report containing the results of investigative services provided to you on behalf of the City of Seaside, California. This work was conducted under your direction as legal counsel to the District.

While our work involved the analysis of accounting records, our engagement did not include an audit in accordance with generally accepted auditing standards or any other attest function. We performed our engagement in accordance with the Statement on Standards for Consulting Services, *Consulting Services: Definitions and Standards* (codified as CS Section 100 in *AICPA Professional Standards*) of the American Institute of Certified Public Accountants (“AICPA”) and the Code of Professional Standards of the Association of Certified Fraud Examiners (ACFE).

The professional standards promulgated by the AICPA prohibit CLA from rendering an opinion as to whether there has been any fraud or other criminal activity by anyone associated with this engagement. The professional standards promulgated by the ACFE prohibits CFEs from expressing opinions regarding the guilt or innocence of any person or party. Therefore, CLA does not render such opinions.

Please contact me with any questions related to this matter.

Sincerely,



Jenny Dominguez, CPA, CFF, CFE  
Signing Director  
**CliftonLarsonAllen LLP**

## Table of Contents

|     |                                                                              |    |
|-----|------------------------------------------------------------------------------|----|
| 1.  | Executive Summary.....                                                       | 2  |
| 2.  | Background and Scope of Work.....                                            | 6  |
| a)  | Background.....                                                              | 6  |
| b)  | Scope of Work .....                                                          | 6  |
| 3.  | Professional Standards Followed by CliftonLarsonAllen.....                   | 7  |
| 4.  | Information about CliftonLarsonAllen .....                                   | 8  |
| 5.  | Work Performed .....                                                         | 9  |
| a)  | Phase 1 – Work Performed.....                                                | 9  |
| b)  | Phase 2 – Work Performed.....                                                | 9  |
| 6.  | Background Information Pertaining to Council Member Expenses.....            | 12 |
| a)  | Council Member Travel Expenses .....                                         | 12 |
| b)  | Family Care Reimbursements.....                                              | 13 |
| c)  | Methods of Payments for Council Member Expenses .....                        | 14 |
| d)  | Issuance of CAL-Card to Council Member Jones .....                           | 16 |
| 7.  | Reconciliation of Expenses to City’s General Ledger .....                    | 20 |
| a)  | Council Member Expenses .....                                                | 20 |
| b)  | Family Care Reimbursements.....                                              | 21 |
| 8.  | Results of Testing .....                                                     | 23 |
| a)  | Expenses in Excess of Approved Budget Amounts.....                           | 23 |
| b)  | Review of Out-of-State Travel .....                                          | 29 |
| c)  | Certain Council Member Travel Expenses Did Not Comply With City Policy ..... | 33 |
| d)  | Council Member Travel Expenses – Internal Controls Deficiencies .....        | 62 |
| e)  | Family Care Reimbursements.....                                              | 68 |
| 9.  | Recommendations .....                                                        | 85 |
| 10. | List of Exhibits .....                                                       | 92 |

## 1. Executive Summary

### *Background*

On September 19, 2018, the City of Seaside (City) responded to a Public Records Act Request for Council Member expenses received on September 7, 2018. After responding to the Public Records Act Request, the City wished to retain the services of an accounting firm to assist in conducting a forensic review of the expenses incurred by the City for City Council Members.

### *Scope of work*

On October 2, 2018, CliftonLarsonAllen (CLA) was retained by the City to conduct forensic accounting and investigative services related to the CAL-Card and expense reimbursement activity for all City Council Members for the period of July 1, 2015, through October 31, 2018, to verify compliance with City policies, including the City's *Expense and Use of Public Resources* policy, and identify activity that appeared unusual or questionable in nature. This engagement was conducted in two phases, as further described below:

Phase 1: Review each transaction and supporting documentation for CAL-Card and expense reimbursement activity for all City Council Members for the period of July 1, 2015, to October 31, 2018.<sup>1</sup> Identify activity that does not comply with City policies and/or appears unusual or questionable in nature.

Phase 2: Conduct appropriate and legal investigative procedures of those transactions identified in Phase 1 that do not comply with City policies and/or appear unusual or questionable in nature. Investigative procedures may include, but not be limited to, computer forensics and interviews of City employees and City Council Members.

### *Summary of Work Performed*

CLA communicated directly with City personnel to obtain the documents and records necessary to begin the first phase of this engagement. These documents included:

- PDF document containing the City's response, dated September 19, 2018, to a *Public Records Act Request* related to Council Member expenditures, which was described in the *Background* section of this report
- City of Seaside Expense and Use of Public Resources Policy Statement

---

<sup>1</sup> Expense reimbursement activity included reimbursements for family care and were included in the scope of this engagement.



- Schedules detailing all of the travel-related expenses for City Council Members and the Family Care expenses in Excel format for the period of July 1, 2015, to September 24, 2018<sup>2</sup>

CLA reviewed the supporting documentation for each expenditure to verify supporting documentation existed for each transaction and then assessed whether the expense complied with the City's *Expense and Use of Public Resources Policy*.

As part of the second phase of this engagement, CLA obtained additional supporting documentation from the City as well as certain email and text communications. Additionally, CLA reconciled the Council Member expenses to the City's general ledger, conducted investigative research, reviewed relevant City Council meetings recordings and minutes, worked with the City to obtain missing receipts from merchants, and conducted interviews deemed necessary. For a detailed description of the work performed, refer to Section 5, *Work Performed*, beginning on page 9.

### *Results of Work Performed*

This section summarizes the findings from the analysis and testing performed. For a detailed discussion of each finding, refer to the body of the report, which begins on page 6.

CLA identified nineteen findings in its review of Council Member expenses. Finding Numbers **(1)** and **(13)** through **(16)** relate to accounting errors and internal control deficiencies that CLA identified during this engagement and do not reflect inappropriate and/or questioned costs incurred by a Council Member. These findings are briefly summarized below. Refer to the report page number identified for a detailed discussion of each finding.

- Finding Number **(1)**: CLA identified small accounting errors related to expenses recorded to the City's general ledger. See *Section 7, Reconciliation of Expenses to City's General Ledger*, beginning on page 20.
- Finding Number **(13)**: The City's standard expense reimbursement form was not consistently used (page 62).
- Finding Number **(14)**: Sufficient information was not included with travel expenses to allow easy identification of the business purpose (page 63).
- Finding Number **(15)**: Support was not retained for reimbursements by Council Members to the City (page 64).
- Finding Number **(16)**: An expense adjustment (abatement) was not recorded for reimbursements to the City by Council Members (page 66).

---

<sup>2</sup> The schedules received in Excel format were identical to the schedules included as part of the PDF document containing the City's response to the *Public Records Act Request*. Staff under the direction of Ms. Hodgson prepared these schedules.

Finding Numbers (2) through (12) and (17) through (19) are summarized in Table 1 on page 5. These findings represent expenses paid on behalf of Council Members that did not comply with the City's *Expense and Use of Public Resources* policy, did not comply with California Government Code, and/or appear questionable in nature. Table 1 presents by Council Member name the finding number, finding type, finding description, and a total dollar amount. The right most column ("Page Ref") indicates the report page number where the related finding is discussed in detail within this report. Findings related to *Family Care Reimbursements* are addressed in Finding Numbers (17) through (19). CLA does not include in Table 1 a total questioned cost for each Council Member for all findings combined as Finding Numbers (2) and (3), (7.1), and (17) include amounts that are also identified in other findings. It is up to the City to decide whether it will require Council Members to reimburse the City for amounts identified as findings in this report. Any costs the City determines Council Member Jones should refund the City should be offset by a \$490 payment she made to the City on September 1, 2018.

After reviewing a draft of this report, the City contacted Mayor Rubio, Mayor Pro Tem Alexander, and Council Member Campbell to inform them of the questioned costs identified for each of them and to request that they reimburse the City for certain questioned costs as described below.

- The City received payment from Mayor Rubio on January 15, 2019, for questioned costs related to his one instance of out-of-state travel for \$860.20 as detailed in Finding Number (3) and for questioned costs related to guest expenses for \$800 as detailed in Finding Number (8). CLA verified that the City received \$1,660.20 as a reimbursement from Mayor Rubio relating to identified questioned costs for Finding Numbers (3) and (8).
- The City received payment from Mayor Pro Tem Alexander on January 16, 2019, for questioned costs related to expenses that exceeded the city policy limits by \$76.90 as detailed in Finding Number (5) and for guest expenses of \$150 as detailed in Finding Number (8). CLA verified that the City received \$226.90 as a reimbursement from Mayor Pro Tem Alexander related to identified questioned costs for Finding Numbers (5) and (8).<sup>3</sup>
- The City received payment from Council Member Campbell on January 16, 2019, for questioned costs related to expenses that exceeded the city policy limits by \$14.73 as detailed in Finding Number (5). CLA verified that the City received this payment.

### *Recommendations*

*Section 9, Recommendations*, beginning on page 85 of this report includes CLA's recommendations that the City may consider implementing based on the results of the work performed.

---

<sup>3</sup> Mayor Pro Tem Alexander rounded the \$226.90 payment to the nearest dollar making the total payment \$227.00 instead of \$226.90.

**Table 1: Summary of Findings with Questioned Costs**

| Finding Number | Finding Description                                                                                                                                   | Kayla Jones  | Ralph Rubio         | Dennis Alexander    | Jason Campbell | Ian Oglesby | David <sup>4</sup> Pacheco | Total       | Page Ref |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|---------------------|---------------------|----------------|-------------|----------------------------|-------------|----------|
| 2              | Expenses in excess of approved budget amounts                                                                                                         | \$ 16,178.54 | \$ 360.59           | \$1,335.24          | \$ -           | \$700.46    | \$ -                       | \$18,574.83 | 23       |
| 3              | Out of state travel - Not approved by City Council at open meeting                                                                                    | 15,265.42    | 860.20              | -                   | -              | -           | -                          | 16,125.62   | 29       |
| 4              | Not a necessary expense to the City (personal expense)                                                                                                | 2,766.44     | -                   | -                   | -              | -           | -                          | 2,766.44    | 33       |
| 5              | Expenses that exceeded City policy limits                                                                                                             | 443.03       | -                   | 76.90               | 14.73          | -           | -                          | 534.66      | 43       |
| 6              | Expenses incurred for travel and conference reservations not used                                                                                     | 2,505.29     | -                   | -                   | -              | -           | -                          | 2,505.29    | 48       |
| 7              | No receipts provided for expenses                                                                                                                     | 2,324.33     | 499.00 <sup>5</sup> | 263.35 <sup>5</sup> | -              | -           | -                          | 3,086.68    | 51       |
| 7.1            | No receipts provided for expenses & No explanation of business purpose (This amount is also accounted for in Finding Number 7)                        | 215.44       | -                   | -                   | -              | -           | -                          | 215.44      | 51       |
| 8              | No reimbursement to the City for guest expense                                                                                                        | -            | 800.00              | 150.00              | -              | -           | -                          | 950.00      | 57       |
| 9              | Unallowed expense - Payment to a political action committee                                                                                           | 159.24       | -                   | -                   | -              | -           | -                          | 159.24      | 58       |
| 10             | Unallowed expense - Payment for gasoline for a personal vehicle                                                                                       | 93.27        | -                   | -                   | -              | -           | -                          | 93.27       | 59       |
| 11             | Unallowed expense - Purchase of travel insurance <sup>6</sup>                                                                                         | 94.88        | 18.00               | 53.50               | -              | -           | -                          | 166.38      | 60       |
| 12             | Itemized receipts not provided for restaurant charges                                                                                                 | 34.41        | -                   | 208.12 <sup>7</sup> | -              | -           | -                          | 242.53      | 61       |
| 17             | Unsupported and possibly false <i>Family Care Reimbursement</i> requests                                                                              | 11,413.00    | -                   | -                   | -              | -           | -                          | 11,413.00   | 69       |
| 18             | Not a necessary expense to the City for <i>Family Care Reimbursements</i> (personal expense) (This amount is also accounted for in Finding Number 17) | 1,060.00     | -                   | -                   | -              | -           | -                          | 1,060.00    | 80       |
| 19             | Overpayment for <i>Family Care Reimbursements</i> (This amount is also accounted for in Finding Number 17)                                            | 241.00       | -                   | -                   | -              | -           | -                          | 241.00      | 81       |

<sup>4</sup> CLA did not identify any findings related to Council Member Pacheco's expenses.

<sup>5</sup> The amounts correspond to four charges to Ms. Salcedo's CAL-Card for Mayor Rubio and Mayor Pro Tem Alexander. Although the original receipt was not included as support, documentation existed to support the business purpose. These four instances seemed to be isolated instances of non-compliance.

<sup>6</sup> CLA does not identify the purchase of travel insurance as a violation of City Policy because CLA was not provided with a written policy that indicates travel insurance is not allowed. However, CLA has assigned Finding Number **(11)** to purchases of travel insurance as this was a verbally communicated City policy that should be documented in the *Expense and Use of Public Resources* policy.

<sup>7</sup> Some form of receipt was provided by Mayor Pro Tem Alexander to request the related two expense reimbursements. For one expense reimbursement request, he provided receipts that were not itemized but were within the City meal allowance. For the other expense reimbursement request, he provided a copy of his credit card statement as he had lost his original receipts. The expenses appeared appropriate; however, not providing an itemized meal receipt was not compliant with the City's *Expense and Use of Public Resources* policy.

## 2. Background and Scope of Work

### a) Background

On September 19, 2018, the City of Seaside (City) responded to a *Public Records Act Request* for Council Member Expenditures received on September 7, 2018. In the cover page of the response, the City described the request as follows:

“All records associated with travel expenses; child care expenses, salary and benefits; other claims/receipts filed since July 1, 2015, including but not limited to hotel expenses, travel reimbursements claims, credit card statements, cellphone bills for current Council Members Ralph Rubio, Jason Campbell, Dennis Alexander, Kayla Jones, Dave Pacheco and former Council Member Ian Oglesby.”<sup>8</sup>

After responding to the *Public Records Act Request* for Council Member expenditures, the City decided to retain the services of an accounting firm to assist in conducting a forensic review of the expenditures incurred by the City for City Council Members.

### b) Scope of Work

On October 2, 2018, CliftonLarsonAllen (CLA) was retained by the City to provide forensic accounting and investigative services. CLA was to conduct an examination of CAL-Card and expense reimbursement activity for all City Council Members for the period of July 1, 2015, through October 31, 2018, for compliance with City Policies, including the City’s *Expense and Use of Public Resources Policy*.<sup>9</sup> This work was to be conducted in a phased approach as follows:

Phase 1: Review each transaction and supporting documentation for CAL-Card and expense reimbursement activity for all City Council Members for the period of July 1, 2015, to October 31, 2018.<sup>10</sup> Identify activity that does not comply with City policies and/or appears unusual or questionable in nature.

Phase 2: Conduct appropriate and legal investigative procedures of those transactions identified in Phase 1 that do not comply with City policies and/or appear unusual or questionable in nature. Investigative procedures may include, but not be limited to, computer forensics and interviews of City employees and City Council Members.

Provide a written report of findings and recommendations.

---

<sup>8</sup> All *Public Records Act Request* responses are published and available on the City’s website.

<sup>9</sup> Council Members include the Mayor, the Mayor Pro Tem, and all Council Members. CLA examined fiscal years 2015/16 (July 1, 2015, through June 30, 2016); 2016/17 (July 1, 2016, through June 30, 2017); 2017/18 (July 1, 2017, through June 30, 2018); and 2018/19 (July 1, 2018, through October 31, 2018).

<sup>10</sup> Expense reimbursement activity included reimbursements for family care and were included in the scope of this engagement.

### 3. Professional Standards Followed by CliftonLarsonAllen

The overall scope of work and approach was conducted utilizing standards in accordance with the Statement on Standards for Consulting Services, *Consulting Services: Definitions and Standards* (codified as CS Section 100 in *AICPA Professional Standards*) of the American Institute of Certified Public Accountants (“AICPA”) and the Code of Professional Standards of the Association of Certified Fraud Examiners (ACFE). In consulting engagements, the nature and scope of work is determined solely by the agreement between the practitioner (CLA) and the client (the City). This report does not constitute an audit, compilation, or review, in accordance with standards of the AICPA, the objective of which would be the expression of an opinion on any specified elements, accounts, or items. Accordingly, CLA does not express such an opinion.

Because of the unique nature of fraud, and because our engagement was limited to the matters described in the engagement letter, fraud and/or financial irregularities may exist within the organization that we may not have identified during the performance of our procedures. However, if during the performance of our services other matters had come to our attention suggesting possible financial improprieties and/or irregularities, we would have communicated such matters to the City.

The professional standards promulgated by the AICPA prohibit CLA from rendering an opinion as to whether there has been any fraud or other criminal activity by anyone associated with this engagement. The professional standards promulgated by the ACFE prohibits Certified Fraud Examiners (CFEs) from expressing opinions regarding the guilt or innocence of any person or party. Therefore, CLA does not render such opinions.

#### **4. Information about CliftonLarsonAllen**

Established on January 2, 2012, as the nation's newest top 10 accounting firm, CLA is well positioned with knowledge, insight, and industry-specific accounting, tax, and consulting services. CLA has a national forensic and governmental practice and is the result of a union between Clifton Gunderson and LarsonAllen, both established more than 60 years ago. (Exhibit 01)

Rich Gonzalez, CPA, was responsible for supervising Phase 1 of the work performed and worked closely with the Forensic Services division of CLA in the execution of Phase 2 of this engagement. Mr. Gonzalez is a Principal in the State and Local Government division of CLA. His practice areas include financial and compliance audits of counties, cities, special districts, and state agencies, including single audits performed in accordance with OMB's Uniform Guidance (Exhibit 02).

Jenny Dominguez, CPA/CFF, CFE, supervised Phase 2 of this engagement. Ms. Dominguez is a signing director in the Forensic Services division of CLA and has 17 years of experience conducting complex forensic accounting and fraud investigation projects. Ms. Dominguez is also experienced in conducting fraud risk assessments, internal control reviews, litigation support, and anti-fraud and ethics training (Exhibit 03).

Ana Rodriguez, CPA, CFE, conducted and supervised fieldwork for Phase 2 of this forensic accounting and investigative services engagement. She assisted Mr. Gonzalez and Ms. Dominguez throughout this engagement. Ms. Rodriguez is a manager in the Forensic Services division of CLA. Her practice areas include conducting fraud investigations, forensic accounting engagements, internal control review analysis, and providing litigation support services (Exhibit 04).

## 5. Work Performed

### a) Phase 1 – Work Performed

CLA communicated directly with Craig Malin, City Manager, and Daphne Hodgson Part-Time Finance Directors, in order to obtain the documents and records necessary to begin the work of the first phase as described in the engagement letter executed on October 2, 2018.<sup>11</sup> CLA was also in communication with Don Freeman, Legal Counsel for the City. The following is a listing of the documents and records received to complete Phase 1:

- PDF document containing the City’s response, dated September 19, 2018, to a *Public Records Act Request* related to Council Member expenditures, which was described in the *Background* section of this report
- City of Seaside *Expense and Use of Public Resources* policy statement (Exhibit 05)
- Schedules detailing all of the travel-related expenses for City Council Members and the Family Care expenses in Excel format for the period of July 1, 2015 to September 24, 2018<sup>12</sup>

CLA analyzed the documents and records received and conducted conference calls with Ms. Hodgson to request additional documents needed. As part of this phase, CLA prepared a combined schedule listing all Council Member expenses by category and identified those transactions that appeared to not comply with City policies and/or appeared unusual or questionable in nature. In order to do this, CLA reviewed the supporting documentation for each expenditure to verify supporting documentation existed for each transaction and then assessed whether the expense complied with the City’s *Expense and Use of Public Resources* policy.<sup>13</sup>

### b) Phase 2 – Work Performed

Throughout Phase 2, CLA was in constant communication with Mr. Freeman, and performed the following investigative steps.

- **Reconciled expenses to general ledger:** CLA compared the expense schedules received for each Council Member against the City’s general ledger detail to verify that all of the expenses incurred for Council Member expenses were included in the schedules provided.

---

<sup>11</sup> Ms. Hodgson was the Deputy City Manager since 2006 until she semi-retired on September 6, 2018. After September 6, 2018, her title is Part-Time Finance Director.

<sup>12</sup> The schedules received in Excel format were identical to the schedules included as part of the 639-page PDF document containing the City’s response to the *Public Records Act Request*. Staff under the direction of Ms. Hodgson prepared these schedules.

<sup>13</sup> The *Public Records Act Request* related to Council Member expenditures. The testing conducted by CLA compared the Council Member expenditures to the City’s *Expense and Use of Public Resources Policy*. Because this policy uses the word “expense,” and for continuity, CLA uses “expense” rather than “expenditure” throughout this report.

- **Obtained additional supporting documentation:** CLA requested and obtained additional accounting and CAL-Card documentation and support necessary to complete the testing of Council Member expenses and analyze the appropriateness of the transactions.<sup>14</sup>
- **Contacted merchants:** CLA worked with Ms. Hodgson to contact merchants and request support for CAL-Card transactions that had been identified as lacking sufficient support, such as itemized receipts from hotels.
- **Conducted investigative research:** CLA conducted additional research relating to those expenses that did not appear to comply with City policies and/or appeared unusual or questionable in nature. This included public internet searches and internet archives research.<sup>15</sup>
- **Reviewed City Council meeting recordings and minutes:** CLA reviewed City Council meeting recordings and minutes to obtain information relevant to the investigation.
- **Performed a review of email and text communications:** CLA reviewed certain email and text communications relevant to this investigation. CLA worked with Gary Bartlett, the City's Information Technology Manager, to obtain email communications between Mr. Malin and Council Member Jones, and between Council Member Jones and Ms. Hodgson. Mr. Bartlett also provided CLA with text communications between Mr. Malin and Council Member Jones.
- **Conducted interviews:** CLA conducted certain interviews deemed necessary for the investigative portion of this engagement. Based on the results of the expense testing from Phase 1, CLA determined it was necessary to interview Council Member Jones because of the quantity and dollar amount of her expenses that were missing receipts and appeared to not comply with City policy. CLA determined that it was not necessary to interview other Council Members, as the quantity and dollar amounts of their expenses that did not comply with City policy was relatively small, and the information necessary to clarify could be obtained from Ms. Hodgson. Relevant information obtained from the interviews is included in the appropriate sections of this report. The interviews conducted included the following:
  - **Daphne Hodgson:** CLA interviewed Ms. Hodgson on November 6, 2018, via telephone. Ms. Hodgson was interviewed telephonically, as she currently resides in New York after her semi-retirement as the Deputy City Manager. CLA continued to communicate with Ms. Hodgson throughout this investigation to obtain additional accounting information and documentation, as needed.

---

<sup>14</sup> In order to complete the testing of Council Member expenses, it was necessary for CLA to obtain certain accounting records and documentation in addition to the City's original response, dated September 19, 2018, to the *Public Records Act Request*. These documents included support for those expenses for which additional support was necessary, and support for expenses incurred after September 19, 2018 and through October 31, 2018.

<sup>15</sup> The internet archive used by CLA was Wayback Machine, a digital archive of the World Wide Web and other information on the internet. This was needed to retrieve information that was readily accessible on the internet at some point in time, but was no longer accessible, except through internet archives.



- o **Craig Malin:** CLA interviewed Craig Malin, City Manager, in person on November 28, 2018. A court reporter was present during the interview with Mr. Malin. Exhibit 06 contains the transcripts of this interview. After the interview, CLA had additional telephonic and email communications with Mr. Malin.
- o **Kayla Jones:** Mr. Freeman requested that Council Member Jones attend an in-person interview with CLA on November 8, 2018. He requested that Council Member Jones confirm her availability to Mr. Freeman no later than November 6, 2018. On November 7, 2018, Council Member Jones communicated to Mr. Freeman that she would be unable to attend the interview as scheduled. Exhibit 07 contains the letter delivered to Council Member Jones requesting this interview.

Mr. Freeman rescheduled the in-person interview with Council Member Jones for November 28, 2018. On November 27, 2018, Council Member Jones communicated to Roberta Greathouse, the City's Human Resources Director, that she could only attend the interview telephonically. CLA conducted the interview telephonically on November 28, 2018. A court reporter was present for the telephonic interview with Council Member Jones. Exhibit 08 contains the transcripts for the November 28, 2018, interview.

Because of time restrictions requested by Council Member Jones, the interview was not completed on November 28, 2018, and CLA scheduled a follow-up phone interview with her for December 4, 2018, at 11:00 a.m. Approximately thirteen minutes before the scheduled follow-up phone interview, CLA received an email, with a letter attached, from John Coniglio, an attorney retained by Council Member Jones that morning to represent her in this matter. Mr. Coniglio stated that the interview could not take place as scheduled because there was short notice on his part and he needed to be present at any meeting with Council Member Jones. Exhibit 09 includes the email and the attached letter received from Mr. Coniglio.

CLA conducted the follow-up interview with Council Member Jones on December 11, 2018. The interview was conducted via video conference with Council Member Jones who was accompanied by Mr. Coniglio. A court reporter was present for the interview with Council Member Jones. Exhibit 10 contains the transcripts for the December 11, 2018, interview.

- **Prepared this written report:** CLA's report presents the detailed results of this forensic accounting and investigation.

## 6. Background Information Pertaining to Council Member Expenses

### a) Council Member Travel Expenses

Individual budget amounts are established annually for Council Member travel expenses, and a separate expense account is established in the general ledger for each Council Member. Although the word “travel” is used in the name of these accounts, they contain items such as airfare, mileage reimbursements, event and conference registrations, hotel costs, meals, and other miscellaneous expenses such as local meals, local transportation, and city events. Historically, the budget allocated to each account was \$3,000.00 for the Mayor and \$1,500.00 for each Council Member. According to the City’s *Expense and Use of Public Resources* policy, previously included as Exhibit 05, Council Members have the ability to utilize the established budget only in accordance with this policy. This policy states in *Section I – Findings*, that public resources should only be used when there is a substantial benefit to the City, which includes:

1. The opportunity to discuss the community’s concerns with state and federal officials;
2. Participating in regional, state and national organizations whose activities affect the City;
3. Attending educational seminars designed to improve officials’ skill and information levels; and
4. Promoting public service morale by recognizing such service.

The City’s *Expense and Use of Public Resources* policy, in *Section II – Authorized Expenses*, specifies that expenses incurred in connection with the following types of activities generally constitute authorized expenses, as long as the other requirements of this policy are met:

1. Communicating with representatives of regional, state and national government on City-adopted policy positions;
2. Attending educational seminars designed to improve official’s skill and information levels;
3. Participating in regional, state and national organizations whose activities affect the City’s interests;
4. Recognizing services to the City, e.g. a gift or celebration of a nominal value;
5. Attending City events;
6. City-related charitable events of nominal value;
7. Implementing a City-Approved strategy for attracting or retaining businesses to the City, which will typically involve at least one staff member; and
8. Meals for persons with whom the official is conducting City-related business, not to exceed the daily maximum as set forth in § (G) per person, and not including expenses for alcohol.

The City’s *Expense and Use of Public Resources* policy further provides that “all other expenses, including international and out-of-state travel and expenses in excess of the annual limits established for each office holder, require prior approval by the City Council at a public meeting.”

## b) Family Care Reimbursements

Prior to the 2017/18 year, *Family Care Reimbursements* were not part of the City Council budget. These types of reimbursements are intended to reimburse Council Members for actual costs incurred as a result of their attendance at City events, which prevents them from personally providing the care they would have otherwise provided for a family member. This section provides an overview of how this budget line item was implemented in 2017/18.

### Background

Mr. Malin communicated to CLA that adding *Family Care Reimbursements* to the budget was an initiative of Council Member Jones. CLA confirmed this through email communications between Mr. Malin and Council Member Jones.

- On May 2, 2017, Council Member Jones provided Mr. Malin with California Government Code § 36514.5 relating to the provision that “City Council Members may be reimbursed for actual and necessary expenses incurred in the performance of official duties.” Exhibit 11 contains this email.
- On June 7, 2017, Council Member Jones emailed Mr. Malin to provide an estimated hourly rate of \$14.00, and an estimated annual cost for childcare of \$1,344.00, which she expected to incur as a result of her participation in Council meetings and activities (Exhibit 12).
- On July 13, 2017, Council Member Jones requested that Mr. Malin include this discussion in the July 20, 2017, Council meeting agenda (Exhibit 13).

### Review of Council Meeting Recordings and Minutes

Per review of the City Council meeting recording for June 15, 2017, CLA identified at minute 00:21:35 Mr. Malin’s explanation that the proposed budget included \$3,000.00 for “Council Member Child Care Reimbursement.”<sup>16</sup> He stated this was being proposed for reimbursements to Council Members for childcare expenses that they may incur in the course of their official duties. It would work in the same way that the City reimbursed Council Members for travel and training. He also explained that it would have to be approved as a policy in order to have it placed in the budget. He explained that the intent behind this proposed policy was to allow more people to participate in Council services. At approximately minute 03:18:35, Council Member Campbell mentioned, during his time for questions on the proposed budget, that he received a comment from a constituent on the proposed “Council Member Child Care Reimbursement.” He briefly commented that it would be advisable to call it “Family Care” in order to make it more inclusive.

Per review of the City Council meeting recording for July 20, 2017, CLA identified at minute 01:00:45 the discussion related to *Item I – Consider resolution to modify the City of Seaside Expense and Use of Public Resources Policy*. During the public comments section of the meeting, a member of the

---

<sup>16</sup> Mr. Malin was providing information for each of the line items for programming enhancements, and “Council Member Child Care Reimbursements” was one of the line items.

public communicated that he believed the “Family Care Resolution” to be a “grand idea.” However, he expressed concerns that details of the resolution were unclear and asked that the City Council table this resolution for a future agenda until his expressed concerns were clarified.

After the public comment section, Mr. Malin provided the following clarification: “The question of when is this reimbursement applicable? After Council votes on it; What are the annual limits? We have placed \$3,000.00 on the budget for that and this budget can afford it.” After Mr. Malin’s comment, there was a motion for approval. The motion was then approved unanimously by the City Council.<sup>17</sup> Exhibit 14 contains the resolution presented during this meeting, the related staff report, and the City Council meeting minutes.

CLA is not aware of any other Council meetings at which the adoption or implementation of the Family Care Reimbursement was discussed.

#### Review of Updated Policy

The *Expense and Use of Public Resources* policy was updated to include *Section III K – Family Care Expenses*: “Reimbursement for actual family care expenses incurred in the performance of official duties.” A budget of \$3,000.00 was established with account 7176 – *Family Care – Council Members* for the 2017/18 year. The budget was again established at \$3,000.00 for the 2018/19 year.

### **c) Methods of Payments for Council Member Expenses**

The expenses incurred by the City for Council Members included two types of expenses, travel-related expenses for all Council Members and reimbursements for Family Care utilized only by Council Member Jones.

#### Council Member Travel Expenses

Per review of accounting records and supporting documentation relating to Council Member travel expenses, CLA identified six different payment methods utilized to incur expenses on behalf of Council Members. Table 2 lists the different methods of payment used to pay for Council Member expenses and the number of transactions (not payments) identified for each method by year.<sup>18</sup>

---

<sup>17</sup> The end of the discussion regarding the *Family Care Reimbursement* was at minute 01:03:38 of the City Council meeting recording.

<sup>18</sup> The number of transactions refers to the number of line items included with each payment method, such as line item charges on a CAL-Card statement.

**Table 2: Number of Travel Expense Transactions by Payment Method for Council Members**

| Method of Payment        | 2015/16 | 2016/17 | 2017/18 | 2018/19 | Total |
|--------------------------|---------|---------|---------|---------|-------|
| CAL-Card - Jones         | -       | -       | 83      | 66      | 149   |
| CAL-Card - Salcedo       | 45      | 20      | 41      | 11      | 117   |
| Expense Reimbursement    | 13      | 5       | 10      | 10      | 38    |
| Direct Payment           | 9       | 19      | 7       | 2       | 37    |
| Petty Cash Reimbursement | 2       | -       | -       | -       | 2     |
| EFT - Leslie Milton      | -       | 1       | -       | -       | 1     |
| Total                    | 69      | 45      | 141     | 88      | 344   |

Each method of payment is described further below:

- **CAL-Card – Jones:** A purchasing card (CAL-Card) was issued to Council Member Jones on March 1, 2018, as approved by Mr. Malin on February 21, 2018. This CAL-Card was for the exclusive use by Council Member Jones. There were 149 transactions (charges) recorded to this CAL-Card for the period under review. Prior to being issued a CAL-Card, expenses for Council Member Jones were paid using other payment methods as described below.<sup>19</sup>
- **CAL-Card – Salcedo:** As the Executive Assistant to the City Manager, Rosa Salcedo possessed a CAL-Card, which was used to pay for Council Member related expenses such as registration for events and conferences, and travel arrangements. There were 117 transactions on Ms. Salcedo's CAL-Card related to Council Members for the period under review. According to the interviews conducted, Council Members communicate a particular request, such as registering for a conference, to Ms. Salcedo who then fulfills the request using her City-issued CAL-Card.
- **Expense Reimbursement:** In instances when Council Members attend a conference and pay for the related expenses using their personal funds, or use their own vehicles for transportation, they may request an expense reimbursement from the City. They may request an expense reimbursement by completing the *Travel Reimbursement* request form and by providing the necessary receipts or mileage support in order for the expense reimbursement to be approved. A City check, made payable to the name of the Council Member submitting the request, is then issued. There were 38 transactions recorded via expense reimbursements for the period under review for Council Member expenses.
- **Direct Payments:** When booking conference or event registrations for Council Members, if the vendor accepts purchase orders, a purchase order is prepared and a direct payment is issued to the vendor via a City check. There were 37 transactions recorded as direct payments to vendors for Council Member expenses.
- **Petty Cash Reimbursement:** Although not as commonly used, CLA identified two instances in which a petty cash reimbursement request was approved and paid to a Council Member for amounts of \$25.00 or less. Petty Cash reimbursements are documented using an

<sup>19</sup> Section 6 d. Issuance of *CAL-Card to Council Member Jones* discusses the circumstances surrounding the issuance of a CAL-Card to Council Member Jones.

*Expenditure Tag Imprest Revolving Fund – Cash Funds* form, which is approved by the respective department head.<sup>20</sup>

- EFT – Leslie Milton: CLA identified one instance in which a payment of \$60.00 was made directly to a vendor, on behalf of Mayor Rubio, using an Electronic Funds Transfer (EFT).

#### Family Care Reimbursements

The City processed *Family Care Reimbursements* only for Council Member Jones. There were 72 instances of childcare for which the City reimbursed Council Member Jones totaling \$11,469.00. These reimbursements were processed similar to expense reimbursements whereby a City check was issued payable to Council Member Jones. There was no specific form used to request *Family Care Reimbursements*. Instead, Council Member Jones submitted a typed document listing a date, a description of the event that caused her to require the services of a baby sitter to care for her daughter, the baby-sitting cost for each event, and a total dollar amount.<sup>21</sup>

#### **d) Issuance of CAL-Card to Council Member Jones**

As mentioned in the section above, Council Member Jones is the only Council Member who had a City-issued CAL-Card. Although the CAL-Card was in the possession of Council Member Jones, the City owns the CAL-Card and makes monthly payments for the balance charged to the City's CAL-Cards. This section provides details concerning the provision and use of this card.

#### Issuance of CAL-Card to Council Member Jones

On February 21, 2018, Mr. Malin sent a memorandum to the Assistant Finance Director, with the subject line "Cal Card for Council Member Kayla Jones." The memorandum contained the signature of Mr. Malin dated the same day. The body of the memorandum stated, "This memorandum is for the approval of a Cal Card for Council Member Kayla Jones with a limit of \$2,500 to be used for purchases related to the City Council."

Council Member Jones was issued a CAL-Card on March 1, 2018, according to a *Purchasing Cardholder Use Agreement* signed by Council Member Jones. The agreement stated that the Cardholder had been provided with a copy of the City's *Purchasing Card Policies and Procedures* document and thereby agreed to comply with all terms and conditions set forth therein. The agreement further described that City purchasing cards are for official City use only and warned that "charging personal expenses on City Cards is a misuse of City funds and a serious breach of the City ethics policy." It further stated that adequate supporting documentation would (must) be retained for all charges. Exhibit 15 contains the memorandum signed by Mr. Malin approving the issuance of a CAL-Card to Council Member Jones, the *Purchasing Cardholder Use Agreement* signed by Council Member Jones, and the City's *Purchasing Card Policies and Procedures* document.

---

<sup>20</sup> Ms. Hodgson approved one of the petty cash reimbursements and Mr. Malin approved the other.

<sup>21</sup> Section 8 e. *Family Care Reimbursements* includes as exhibits the *Family Care Reimbursements* requested and paid to Council Member Jones.

Costs Incurred by Council Member Jones on Her City-Issued CAL-Card

Table 3 lists the statement dates for Council Member Jones' CAL-Card, the number of transactions on each statement, and the total dollar value of the transactions on each statement. Exhibit 16 includes a copy of the CAL-Card statements.

**Table 3: Transaction Summary for CAL-Card Issued to Council Member Jones**

| CAL-Card Statement Date | Number of Transactions | Transactions Total |
|-------------------------|------------------------|--------------------|
| March 22, 2018          | 6                      | \$ 1,702.67        |
| April 23, 2018          | 21                     | 871.58             |
| May 22, 2018            | 18                     | 3,614.29           |
| June 22, 2018           | 34                     | 2,486.11           |
| July 23, 2018           | 29                     | 1,309.82           |
| August 22, 2018         | 38                     | 2,936.36           |
| September 24, 2018      | 3                      | 621.69             |
| Total                   | 149                    | \$ 13,542.52       |

The last transaction on Council Member Jones' CAL-Card is dated September 11, 2018. On October 19, 2018, Council Member Jones returned her CAL-Card to Mr. Malin.<sup>22</sup> Exhibit 17 contains email communication from Mr. Malin to Council Member Jones confirming the return of her CAL-Card to him as of that date.

Email Review

Included in this section is information obtained from the review of email communications relevant to the monthly limits for the CAL-Card of Council Member Jones. Although the CAL-Card *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, stated that the monthly limit was \$2,500.00, the actual charges incurred in two of the months exceeded the stated limit. CLA identified an email dated May 24, 2018 in which, after receiving an email from Council Member Jones inquiring about the balance on her CAL-Card, Ms. Hodgson replied that as of that day, the CAL-Card had a \$4,000.00 available balance (Exhibit 18).

Results of Interviews

Included in this section is information obtained from interviews regarding the reasons that Council Member Jones was issued a City CAL-Card, who initiated this process, who provided approval for Council Member Jones to receive a CAL-Card, and what instructions and/or information was provided to Council Member Jones at the time that she was given the CAL-Card.

---

<sup>22</sup> There were no transactions after September 11, 2018 to October 19, 2018, when Council Member Jones returned the CAL-Card.



**Kayla Jones<sup>23</sup>**

Council Member Jones stated that Mr. Malin at some point had an in-person conversation with her during which Mr. Malin presented the option of providing her with a City-issued CAL-Card. She asked Mr. Malin if she was allowed to have it, to which he responded affirmatively. She stated that this conversation might have been after an incident where she was traveling for a conference with the League of Cities and the hotel did not have a reservation for her that she believed Ms. Salcedo was supposed to make. Council Member Jones recalled that Mr. Malin had to step away from a Council meeting to call the hotel and use his personal credit card to reserve a room for her. She mentioned that Mr. Malin believed that if she had a CAL-Card she could make her own travel reservations and not rely on Ms. Salcedo.

Council Member Jones recalled that Ms. Hodgson provided her with the CAL-Card, along with a form to sign. Council Member Jones also recalled that she was provided a monthly budget (limit) of a certain dollar amount that she could not recall during the interview. If she needed to exceed the monthly budget (limit), Ms. Hodgson would increase the budget amount for the month.

According to Council Member Jones, Mr. Malin told her that she could use the CAL-Card for anything related to travel to and from events related to her duties as a Council Member and provided her general instructions on how to use the CAL-Card. She recalled that Mr. Malin communicated to her that she could not use the CAL-Card for personal purchases and told her she could only use it for purchases pertaining to her "line of duty" as a Council Member.

**Craig Malin<sup>24</sup>**

Mr. Malin stated that he did not recall how the process of providing Council Member Jones with a CAL-Card was initiated, and stated, "I don't know whose idea it was." He stated that he had the "vaguest recollection" that, if Council Member Jones had a CAL-Card, the City would have more control as they would know what was purchased.

Mr. Malin stated that he recalled an incident where Council Member Jones had texted him while he was at a Council meeting because her hotel reservation in Sacramento could not be located by the hotel (Exhibit 19 includes this text communication). He stated that he had to step away from the City Council meeting to call the hotel and provide his personal credit card to pay for the hotel. He acknowledged that this incident might have been the impetus for providing Council Member Jones with her own City-issued CAL-Card.<sup>25</sup>

---

<sup>23</sup> Refer to Exhibit 06 for the interview transcripts for Council Member Jones' interviews.

<sup>24</sup> Refer to Exhibit 08 for the interview transcript for Mr. Malin's interview.

<sup>25</sup> Mr. Malin stated that, although he paid with a personal credit card for the hotel stay of Council Member Jones, he did not believe that he had requested a reimbursement from the City for this expense. CLA obtained all expense reimbursements processed for Mr. Malin through September 21, 2018, which were available on the City's website as part of a *Public Records Act Request* response. CLA reviewed the expense reports processed for Mr. Malin and did not identify a reimbursement for a hotel in January 2018, which is when Council Member Jones attended a conference in Sacramento for which she received a reimbursement for mileage, parking, and family care expenses.



Mr. Malin did not recall having discussions with Council Member Jones concerning the appropriate use of the CAL-Card; however, he recalled that he had multiple discussions with her about the use of public funds. He recalled telling her, "You don't report to me, you report to the citizens. You have to explain to them whether or not an expenditure is not just consistent with policy, but it is consistent with the goals of the City." He stated he had these types of conversations with her because "she was interested in expanding her horizons."

Mr. Malin also stated that he was under the impression that all Council Members had a City-issued CAL-Card. He only recently learned from Mayor Rubio that Council Members utilized the services of Ms. Salcedo to assist them in making travel and event arrangements and did not have individual CAL-Cards. He stated that it "turned out that Council Member Jones was the only Council Member who had a CAL-Card."

***Daphne Hodgson***

Ms. Hodgson communicated to CLA that Ms. Salcedo had become overwhelmed with many requests from Council Member Jones, and Ms. Hodgson discussed with Mr. Malin her concerns that Ms. Salcedo's CAL-Card use was exceeding the monthly limits. Therefore, the decision was made that a CAL-Card would be issued to Council Member Jones. Ms. Hodgson stated that this was done in an attempt to "make things more functional."

Ms. Hodgson recalled handing Council Member Jones the CAL-Card along with a *Purchasing Cardholder Use Agreement* for her to sign. CLA asked if Council Member Jones was provided written or verbal directions on the month-end process when the cardholder activity for the month was received. Ms. Hodgson stated that the *Purchasing Cardholder Use Agreement* that Council Member Jones signed, in paragraph 2, discusses the need for timely support. Ms. Hodgson stated that in the first couple of months, "[Council Member Jones] did pretty well" meeting with Ms. Hodgson and turning in receipts, "but then it went downhill from there."

## 7. Reconciliation of Expenses to City's General Ledger

### a) Council Member Expenses

#### Introduction

CLA received expense schedules provided by the City within its *Public Records Act Request Response* dated September 19, 2018, which was provided to CLA to conduct this engagement. Expenses incurred by Council Members after September 19, 2018, and through October 31, 2018, were added to the schedules by CLA.<sup>26</sup> As mentioned previously, each Council Member has his/her own expense budget line item (account). The City uses a designated account number prefix 100-0-1010 followed by a four-digit number unique to each Council Member. In order to verify that the expense schedules provided to CLA were complete and included all of the expenses recorded in the City's general ledger for Council Member expenses, CLA compared the expense schedules to the general ledger. Table 4 contains the total expenses by account name for the period under review compared to the City's general ledger.<sup>27</sup>

**Table 4: Council Member Expenses**

| Fiscal Year               | 2015/16      | 2016/17     | 2017/18      | 2018/19 <sup>28</sup> | Total        |
|---------------------------|--------------|-------------|--------------|-----------------------|--------------|
| Account Name              | Amount       | Amount      | Amount       | Amount                | Amount       |
| 4114 - Travel - Jones     | \$ -         | \$ 2,497.44 | \$ 11,212.10 | \$ 4,443.17           | \$ 18,152.71 |
| 4115 - Travel - Rubio     | 5,248.16     | 2,498.00    | 3,015.91     | 1,000.00              | 11,762.07    |
| 4116 - Travel - Alexander | 2,083.17     | 1,597.88    | 1,176.93     | 2,154.19              | 7,012.17     |
| 4119 - Travel - Oglesby   | 2,200.46     | 254.41      | -            | -                     | 2,454.87     |
| 4120 - Travel - Campbell  | 390.94       | 600.00      | 844.67       | -                     | 1,835.61     |
| 4117 - Travel - Pacheco   | 420.00       | 292.93      | 276.25       | -                     | 989.18       |
| Total Per Schedules       | \$ 10,342.73 | \$ 7,740.66 | \$ 16,525.86 | \$ 7,597.36           | \$ 42,206.61 |
| Total Per General Ledger  | 10,382.73    | 7,750.66    | 16,831.55    | 7,302.36              |              |
| Difference                | (40.00)      | (10.00)     | (305.69)     | 295.00                |              |
| Corrected Total           | \$ 10,382.73 | \$ 7,750.66 | \$ 16,831.55 | \$ 7,597.36           |              |

The identified differences in each year are discussed in detail in Exhibit 20. The last row in Table 4 titled "Corrected Total" identifies the actual total of Council Member expenses for the year. Additionally, certain City event-related expenses were charged to Mayor Rubio's travel account in error in the years 2015/16, 2016/17, and 2017/18. The amounts that were charged to Mayor Rubio's account are not deducted for the totals in Table 4; however, this issue is discussed in detail in section 8 a) *Expenses in Excess of Approved Budget Amounts* beginning on page 23.

<sup>26</sup> CLA updated these schedules based on the general ledger, a listing of all expense reimbursements processed for Council Members, and the CAL-Card statements that covered the period through October 31, 2018.

<sup>27</sup> The account name includes a four-digit number followed by the word "travel" and the last name of the Council Member for whom the expense was incurred.

<sup>28</sup> The fiscal year 2018/19 includes activity for July 1, 2018 through October 31, 2018, only.

## Conclusion

By completing this reconciliation, CLA gained the confidence that it had included all of the Council Member travel expenses in its detailed testing. As described in Exhibit 20, there were small errors in posting expenses to the general ledger in the correct amounts or to the correct general ledger account. CLA therefore identifies the differences, which are due to accounting errors, as Finding Number **(1)**.

## **b) Family Care Reimbursements**

### Introduction

CLA reviewed the amounts recorded in the expense schedules for reimbursements paid for Family Care.<sup>29</sup> The only Council Member to whom reimbursements were made for Family Care was Council Member Jones. In order to verify that the schedules for *Family Care Reimbursements* contained complete information, CLA compared the expense schedules to the City's general ledger. Table 5 includes a comparison of the *Family Care Reimbursements* to the general ledger.

**Table 5: Reconciliation of Family Care Reimbursements**

| Fiscal Year                                 | 2017/18     | 2018/19     | Total        |
|---------------------------------------------|-------------|-------------|--------------|
| Total per Schedule                          | \$ 6,877.31 | \$ 3,990.00 | \$ 10,867.31 |
| Total per General Ledger – 7176 Family Care | 6,877.31    | 4,010.76    | 10,888.07    |
| Difference                                  | \$ -        | \$ 20.76    | \$ 20.76     |

Although only a \$20.76 difference was identified between the expense schedules received and the general ledger for the 7176 – Family Care account, CLA identified one additional payment to Council Member Jones of \$780.00 that was incorrectly posted in the general ledger. This payment was posted to account 7177 - Child Care, instead of to account 7176 – Family Care – Council Members (Exhibit 21 contains the support for this payment). The total *Family Care Reimbursements* paid to Council Member Jones for 2017/18 was \$7,479.00. Exhibit 20 includes a detailed explanation of the reasons for the identified differences.

### Conclusion

By completing this reconciliation, CLA gained the confidence that it had included all of the *Family Care Reimbursements* paid to Council Member Jones in its detailed testing. The total amounts paid to Council Member Jones for *Family Care Reimbursements* are listed in Table 6.

**Table 6: Total Family Care Reimbursements to Council Member Jones**

| Fiscal Year                               | 2017/18     | 2018/19     | Total        |
|-------------------------------------------|-------------|-------------|--------------|
| Total Paid for Family Care Reimbursements | \$ 7,479.00 | \$ 3,990.00 | \$ 11,469.00 |

<sup>29</sup> These are the expense schedules that were provided by the City within its *Public Records Act Request Response* dated September 19, 2018, which was provided to CLA to conduct this engagement.

As described in Exhibit 20, there were errors in posting expenses to the general ledger in the correct amounts or to the correct general ledger account. CLA therefore identifies the differences, which are due to accounting errors as Finding Number **(1)**.

## 8. Results of Testing

The detailed results of work performed are presented here as subsections a) through e). Each of the subsections contain additional subsections to present an introduction; the applicable policy; the condition; the results of interviews (if applicable); the results of email and/or text review (if applicable); the results of research (if applicable); and a conclusion. CLA presents its findings for expenditures that were not consistent with City Policy and/or California Government code within the conclusion subsections. A number in red font identifies the findings sequentially. CLA also included a finding for instances where internal control deficiencies were identified.

### a) Expenses in Excess of Approved Budget Amounts

#### Introduction

As previously mentioned, a budget is annually approved for Council Member Expenses. Historically, the Mayor was provided a budget of \$3,000.00 and each Council Member a budget of \$1,500.00. The published budgets for fiscal years 2015/16, 2016/17, and 2017/18 included the budgeted amounts as described to CLA. Exhibit 22 includes the relevant pages of the budgets for each of these three years. The published budget for 2018/19 listed the same budget amounts for the Mayor and each Council Member, with the exception of Council Member Jones, who had a budget of \$8,000.00. Exhibit 23 contains the relevant page of the published budget for 2018/19. CLA reviewed the travel expenses to identify whether they exceeded the approved budget and if they exceeded the approved budget, CLA reviewed whether advance approval was obtained from the City Council at a public meeting.

#### California Government Code and City Policy

California Government Code § 53232.2 (f) states, "All expenses that do not fall within the adopted travel reimbursement policy . . . shall be approved by the governing body, in a public meeting before the expense is incurred." Exhibit 24 includes California Government Code.

The City's *Expense and Use of Public Resources* policy provides "all other expenses, including international and out-of-state travel and expenses in excess of the annual limits established for each office holder, require prior approval by the City Council at a public meeting." Refer to Exhibit 05 for this City policy.

#### Condition

CLA's review included identifying whether any Council Member expenses exceeded the approved budgets, and, if the approved budgets were exceeded, whether excess expense amounts were approved by the City Council at a public meeting. Payment approval for these expenses followed the normal payment approval process.

Council Members Pacheco and Campbell did not incur expenses in excess of their approved budgets for any of the years reviewed. The remaining four Council Members incurred expenses in excess of their approved budgets for one or more years as indicated in the bullets below.

- **Council Member – Ian Oglesby**

Account number 4119 – Travel – Oglesby corresponds to Council Member Ian Oglesby. The annual City budget included \$1,500.00 for this account for the years of 2015/16 and 2016/17.<sup>30</sup> For the 2015/16 year, the expenses incurred for this account amounted to \$2,200.46, which exceeded the approved budget of \$1,500.00 by \$700.46. Table 7 includes by category the expenses incurred by year, the annual approved budget amount, and the expense in excess of the approved budget amount. CLA did not see any evidence that the expenses that exceeded the approved budgets for Council Member Oglesby were approved in advance by the City Council at a public meeting.

**Table 7: 4119 – Travel – Oglesby**

| Category        | 2015/16     | 2016/17   | Total       |
|-----------------|-------------|-----------|-------------|
| Airfare         | \$ 436.20   | \$ -      | \$ 436.20   |
| Hotel           | 699.26      | 204.41    | 903.67      |
| Registration    | 1,140.00    | 50.00     | 1,190.00    |
| Reimbursement   | (75.00)     | -         | (75.00)     |
| Total           | \$ 2,200.46 | \$ 254.41 | \$ 2,454.87 |
| Approved Budget | 1,500.00    | 1,500.00  |             |
| Excess Amount   | \$ 700.46   | \$ -      |             |

- **Mayor Pro Tem – Dennis Alexander**

Account number 4116 – Travel – Alexander corresponds to Mayor Pro Tem Dennis Alexander. The annual City budget included \$1,500.00 for this account for the years under review. For the 2015/16, 2016/17, and 2018/19 years, expense amounts exceeded the approved budget by \$583.17, \$97.88, and \$654.19, respectively. Table 8 includes by category the expenses incurred by year, the annual approved budget amount, and the expense in excess of the approved budget amount. CLA did not see any evidence that the expenses that exceeded the approved budgets for Mayor Pro Tem Alexander were approved in advance by the City Council at a public meeting.

**Table 8: 4116 – Travel – Alexander**

| Category        | 2015/16 | 2016/17   | 2017/18 | 2018/19 <sup>31</sup> | Total     |
|-----------------|---------|-----------|---------|-----------------------|-----------|
| Airfare         | \$ -    | \$ 221.20 | \$ -    | \$ 377.40             | \$ 598.60 |
| Hotel           | 767.17  | -         | 428.70  | 877.04                | 2,072.91  |
| Meals           | 111.93  | -         | 148.35  | 180.83                | 441.11    |
| Mileage         | 212.07  | -         | 196.88  | -                     | 408.95    |
| Office Supplies | -       | 107.68    | -       | -                     | 107.68    |
| Parking         | 17.00   | -         | -       | -                     | 17.00     |
| Registration    | 880.00  | 1,250.00  | 403.00  | 575.00                | 3,108.00  |

<sup>30</sup> Council Member Oglesby was not a Council Member in fiscal years 2017/18 or 2018/19 year, thus there are no expenses for these years.

<sup>31</sup> CLA's testing of expenses for 2018/19 went through October 31, 2018.

| Category         | 2015/16     | 2016/17     | 2017/18     | 2018/19 <sup>31</sup> | Total       |
|------------------|-------------|-------------|-------------|-----------------------|-------------|
| Taxi             | 95.00       | -           | -           | 109.42                | 204.42      |
| Travel Insurance | -           | 19.00       | -           | 34.50                 | 53.50       |
| Total            | \$ 2,083.17 | \$ 1,597.88 | \$ 1,176.93 | \$ 2,154.19           | \$ 7,012.17 |
| Approved Budget  | 1,500.00    | 1,500.00    | 1,500.00    | 1,500.00              |             |
| Excess Amount    | \$ 583.17   | \$ 97.88    | \$ -        | \$ 654.19             |             |

- **Mayor – Ralph Rubio**

Account number 4115 – Travel – Rubio corresponds to the Mayor, Ralph Rubio. The annual City budget included \$3,000.00 for this account for the years under review. CLA identified that certain expenses related to city events and office supplies were incorrectly charged to his account.<sup>32</sup> Additionally, due to other accounting errors, a total of \$450 in 2016/17 and \$524.84 in 2017/18 that Mayor Rubio reimbursed the City through a stipend deduction was not appropriately recorded to his travel account, thus overstating the expenses in his travel account.<sup>33</sup> CLA subtracted the amounts related to these accounting errors in order to calculate Mayor Rubio's actual total expenses for each year. Table 9 includes by category the expenses incurred by year, the annual approved budget amount, and the expenses in excess of the approved budget amount. CLA did not see any evidence that the expenses that exceeded the approved budgets for Mayor Rubio were approved in advance by the City Council at a public meeting.

**Table 9: 4115 – Travel – Rubio**

| Category                    | 2015/16     | 2016/17     | 2017/18     | 2018/19 <sup>34</sup> | Total        |
|-----------------------------|-------------|-------------|-------------|-----------------------|--------------|
| Airfare                     | \$ 842.20   | \$ -        | \$ -        | \$ -                  | \$ 842.20    |
| City Events                 | 1,778.77    | 293.00      | 431.92      | -                     | 2,503.69     |
| Meals                       | 15.02       | -           | 137.47      | -                     | 152.49       |
| Memberships                 | 59.00       | -           | -           | -                     | 59.00        |
| Office Supplies             | 108.80      | -           | -           | -                     | 108.80       |
| Recognizing Service to City | 135.00      | -           | -           | -                     | 135.00       |
| Registration                | 2,371.37    | 2,205.00    | 2,462.52    | 1,300.00              | 8,338.89     |
| Reimbursement               | (80.00)     | -           | (16.00)     | (300.00)              | (396.00)     |
| Travel Insurance            | 18.00       | -           | -           | -                     | 18.00        |
| Total                       | \$ 5,248.16 | \$ 2,498.00 | \$ 3,015.91 | \$ 1,000.00           | \$ 11,762.07 |
| Less: Accounting Errors     | (1,887.57)  | (743.00)    | (956.76)    | -                     | (3,587.33)   |
| Actual Expense Amount       | 3,360.59    | 1,755.00    | 2,059.15    | 1,000.00              | 8,174.74     |
| Approved Budget             | 3,000.00    | 3,000.00    | 3,000.00    | 3,000.00              |              |
| Excess Expense Amount       | \$ 360.59   | \$ -        | \$ -        | \$ -                  |              |

<sup>32</sup> Other Council Members also had charges related to office supplies. However, the charges for supplies for other Council Members were appropriately recorded to their accounts as they were for the purchase of their business cards. The charges for office supplies reflected for Mayor Rubio related to paper clips, pens, notebooks, a labeling system, and a USB charging station. These types of office supplies should be charged to the 100-1010-3095 Department Consumables account.

<sup>33</sup> Refer to finding number (8) for a complete discussion on this accounting error relating to stipend deductions that resulted in an overstatement of Mayor Rubio's account.

<sup>34</sup> CLA's testing of expenses for 2018/19 went through October 31, 2018.

- **Council Member – Kayla Jones**

Account number 4114 – Travel – Jones corresponds to Council Member Kayla Jones. The annual City budget for Council Member Jones was \$1,500.00 for fiscal years 2016/17 and 2017/18. For the 2018/19 year, the budget established for this account was increased to \$8,000.00.<sup>35</sup> Council Member Jones took office in December 2016; therefore, the first year expenses were incurred in this account is 2016/17. The expenses incurred for this account exceeded the annual budget of \$1,500.00 in 2016/17 by \$997.44 and in 2017/18 by \$9,712.10. Table 10 lists by category the expenses incurred by year, the annual approved budget amount, and the expenses in excess of the approved budget amount. CLA did not see any evidence that the travel expenses that exceeded the approved budgets for Council Member Jones were approved in advance by the City Council at a public meeting.

**Table 10: 4114 – Travel – Jones**

| Category            | 2016/17     | 2017/18      | 2018/19     | Total <sup>36</sup> |
|---------------------|-------------|--------------|-------------|---------------------|
| Airfare             | \$ -        | \$ 2,616.80  | \$ 1,163.00 | \$ 3,779.80         |
| Gasoline            | -           | 93.27        | -           | 93.27               |
| Hotel               | 771.24      | 3,065.26     | 1,807.50    | 5,644.00            |
| Meals               | -           | 986.29       | 694.68      | 1,680.97            |
| Mileage             | 283.28      | 179.01       | -           | 462.29              |
| Office Supplies     | 102.92      | -            | -           | 102.92              |
| Parking             | -           | 164.00       | -           | 164.00              |
| Professional Photos | -           | 458.85       | -           | 458.85              |
| Registration        | 1,340.00    | 3,142.04     | -           | 4,482.04            |
| Reimbursement       | -           | (125.00)     | -           | (125.00)            |
| Rental Car          | -           | 117.00       | -           | 117.00              |
| Taxi                | -           | 389.33       | 653.65      | 1,042.98            |
| Travel Insurance    | -           | 94.88        | -           | 94.88               |
| Unknown             | -           | 30.37        | 124.34      | 154.71              |
| Total               | \$ 2,497.44 | \$ 11,212.10 | \$ 4,443.17 | \$ 18,152.71        |
| Approved Budget     | 1,500.00    | 1,500.00     | 8,000.00    |                     |
| Excess Amount       | \$ 997.44   | \$ 9,712.10  | \$ -        |                     |

- **Family Care Reimbursement – Kayla Jones**

CLA identified all of the expenses recorded in the general ledger for 7176 – *Family Care – Council Members* and the one *Family Care Reimbursement* paid to Council Member Jones but charged to account 7177 in error. Payments processed for Council Member Jones for *Family Care Reimbursements* for 2017/18 exceeded the approved budget by \$4,479.00. As of October 31, 2018, the total expense reimbursements processed for Council Member Jones for *Family Care* for 2018/19 exceeds the approved budget by \$990. CLA did not see any evidence that the expenses in excess of the approved budget were approved by the City Council in a public

<sup>35</sup> Ms. Hodgson communicated to CLA that historically, the budget is established each year for Council Members at \$1,500.00 and for the City Mayor at \$3,000.00. However, because Council Member Jones incurred expenses in 2017/18 that exceeded the established budget, when the 2018/19 budget was prepared, the budget amount for Council Member Jones was increased to \$8,000.00.

<sup>36</sup> CLA's testing of expenses for 2018/19 went through October 31, 2018.



meeting. Table 11 includes the total amounts paid to Council Member Jones for *Family Care Reimbursements* compared to the approved annual budgets for 2017/18 and 2018/19.

**Table 11: 7176 – Family Care – Council Members Expenses**

| Fiscal Year                | 2017/18     | 2018/19     | Total <sup>36</sup> |
|----------------------------|-------------|-------------|---------------------|
| Total Paid for Family Care | \$ 7,479.00 | \$ 3,990.00 | \$ 11,469.00        |
| Approved Budget            | 3,000.00    | 3,000.00    | 6,000.00            |
| Difference                 | \$ 4,479.00 | \$ 990.00   |                     |

### Results of Interviews

Included in this section is information obtained from interviews regarding the reasons for Council Member travel expenses incurred in excess of the approved budget, and for not seeking Council approval at a public meeting in advance of the expenses that caused the approved budgets to be exceeded.

#### ***Craig Malin***

CLA inquired with Mr. Malin whether there was any advance approval for Council Member Travel expenses prior to exceeding the approved budgets. Mr. Malin stated that only expenses that exceed established budgets by \$10,000 or more would require presentation to the City Council, and the individual Council Member Travel expenses did not exceed the budgets by more than \$10,000. Furthermore, he stated that in his review of the City's *Expense and Use of Public Resources* policy, he had not focused on the sentence that read, "all other expenditures, including international and out-of-state travel and expenses in excess of the annual limits established for each office holder, require prior approval by the City Council at a public meeting." He mentioned he had not focused on it because it "did not apply to staff" he was responsible for.<sup>37</sup>

Additionally, he commented that the City has a "terrible financial information system" and they were only able to produce a mid-year budget report when he first became the City Manager. He requested monthly budget reports, but with the financial information system, they were unable to obtain monthly reports. The best he has received is quarterly and annual reports. He speculated the Council Member Travel Expenses may be within an entire category for all Council Members, so if some spent below and some above, then it would all be within budget.<sup>38</sup>

CLA also inquired about the reason for the Travel Expenses budget for Council Member Jones being approved for \$8,000 for 2018/19. Mr. Malin communicated that the Finance Director assembles the proposed budget, generally from historical information, and will make a recommendation for the

<sup>37</sup> It is CLA's understanding that the *Expense and Use of Public Resources* policy is applicable to all City staff and Council Members. CLA understood Mr. Malin's comment that it "did not apply to staff" he was responsible for to mean that this portion of the policy never became relevant to the staff that reported to him because there was an administrative process to obtain advance approval for staff travel.

<sup>38</sup> As a group, the expenses exceeded the approved budget; however, they did not exceed the approved budget by more than \$10,000.00.

proposed budget amount. Mr. Malin recalled a conversation with Ms. Hodgson relating to the budget of \$8,000 for Council Member Jones being higher than for all other Council Members, including the Mayor. He understood that this increase was based on Council Member Jones' expense trend for the prior year, and this amount represented an appropriate estimate for 2018/19.

#### ***Daphne Hodgson***

CLA inquired with Ms. Hodgson regarding whether she recalled if expenses in excess of approved budgets for Council Member travel were approved in advance of the Council Member incurring the expense. She stated that she would not see the expenses until after the Council Members incurred them and did not believe that such approval was taking place. Furthermore, she stated that she usually attended all City Council meetings and did not recall any discussions of advance approval for Council Member expenses incurred in excess of approved budgets. She believed there was not an established process to obtain approval from the City Council for Council Member expenses that exceeded the established budget.

Ms. Hodgson also recalled the conversation with Mr. Malin related to the 2018/19 budget of \$8,000 for Council Member Jones being higher than all other Council Members and their agreement that this amount represented an appropriate estimate for 2018/19 based on Council Member Jones' prior year expenses.

#### ***Kayla Jones***

Council Member Jones stated that she had inquired with Mr. Malin at some point when she desired to attend a conference and suspected that the related expenses would exceed her approved budget. She stated, "I wanted to attend these conferences, I asked the City Manager if it was okay to go over budget, and he said yes, because they could pull from the general fund and they always want to support Council Member development."

Council Member Jones noticed the proposed amount for her travel budget for 2018/19 was \$8,000.00 during her review of the agenda packet in advance of the Council meeting. She stated that she had called Mr. Malin to inquire about the reason for her travel budget amount being larger than the other Council Members. He responded that other Council Members did not travel as much as she did; therefore, their proposed travel budgets were less.

#### **Conclusion**

Four Council Members exceeded their approved annual budgets for travel expenses and the *Family Care Reimbursements* for one or more years as listed in Table 12. In violation of the City's *Expense and Use of Public Resources* policy, these excess expenses were not presented for advance approval to the City Council at a public meeting. Because the City policy requires advance approval by the City Council at an open meeting for expenses in excess of the approved budget, these instances of travel were also in violation of California Government Code § 53232.2 (f), which states, "All expenses that do not fall within the adopted travel reimbursement policy . . . shall be approved by the governing body, in a public meeting before the expense is incurred." Based on the information shared with CLA during interviews, it appears that the City does not have an established process in place to ensure that advance approval is obtained from the City Council prior to incurring expenses in excess of the

approved Council Member travel expense budgets. For reference purposes, CLA will identify this City policy and California Government Code non-compliance as Finding Number (2). Table 12 lists the amounts of Council Member expenses that exceeded the approved budgets and were not presented to the City Council for approval during a public meeting.

**Table 12: Council Member Expenses in Excess of Approved Budget**

| Name                      | 2015/16   | 2016/17 | 2017/18  | 2018/19 | Total     |
|---------------------------|-----------|---------|----------|---------|-----------|
| Ian Oglesby               | \$ 700.46 | \$ -    | \$ -     | \$ -    | \$ 700.46 |
| Dennis Alexander          | 583.17    | 97.88   | -        | 654.19  | 1,335.24  |
| Ralph Rubio               | 360.59    | -       | -        | -       | 360.59    |
| Kayla Jones               | -         | 997.44  | 9,712.10 | -       | 10,709.54 |
| Kayla Jones – Family Care |           |         | 4,479.00 | 990.00  | 5,469.00  |

## b) Review of Out-of-State Travel

### Introduction

As part of their official duties, Council Members typically attend certain conferences and events, the cost of which is paid for or reimbursed by the City. These costs may include airfare, mileage, event and conference registrations, hotel costs, meals, and incidentals. In some instances, the conference or event may take place out of state. CLA reviewed these instances of travel to determine whether advance approval was obtained from the City Council at a public meeting.

### City Policy

The City's *Expense and Use of Public Resources* policy provides that "all other expenses, including international and out-of-state travel and expenses in excess of the annual limits established for each office holder, require prior approval by the City Council at a public meeting."

### Condition

Six out-of-state travel instances were identified, with one instance for Mayor Rubio and five instances for Council Member Jones. Mr. Malin approved for payment the *Cardholder Activity Statement* where the charge for the out-of-state travel was made for Mayor Rubio. Ms. Hodgson approved for payment the *Cardholder Activity Statements* where the charges for the out-of-state travel were made for Council Member Jones. Table 13 provides details related to these instances of travel, and additional details for each conference are discussed after this table.<sup>39</sup>

<sup>39</sup> The appropriateness of the trips themselves and the related costs are addressed in Section 8 c. *Certain Council Member Travel Expenses Did Not Comply with City Policy*. CLA identified multiple other findings related to the expenses incurred for the travel by Council Member Jones and the additional findings are detailed in Section 8 c. This section focuses solely on whether prior approval was obtained from the City Council in an open session meeting for the out-of-state travel.

**Table 13: Council Member Out-of-State Travel**

| No. | Name  | Date       | Payment Method        | Destination              | Purpose                                                                                                                                                                                  | Total     | Payment Approval          |
|-----|-------|------------|-----------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|---------------------------|
| 1   | Rubio | 6/5/2016   | CAL-Card - Salcedo    | Harrisburg, Pennsylvania | Meeting related to Fort Ord Reuse Authority – Cost includes only airfare and travel insurance                                                                                            | \$ 860.20 | Mr. Malin                 |
| 2   | Jones | 12/17/2017 | Reimbursement - Jones | Fort Worth, Texas        | Interview references for police chief – only cost was for <i>Family Care Reimbursement</i> . The Hotel and travel costs were paid by the City Manager, who then obtained a reimbursement | 769.00    | Ms. Hodgson               |
| 3   | Jones | 5/29/2018  | CAL-Card - Jones      | Atlanta, Georgia         | National League of Cities' Women in Municipal Government Conference                                                                                                                      | 4,499.03  | Ms. Hodgson               |
| 4   | Jones | 6/14/2018  | CAL-Card - Jones      | Little Rock, Arkansas    | National League of Cities University. Only costs are for airfare and registration.                                                                                                       | 1,638.40  | Ms. Hodgson               |
| 5   | Jones | 7/23/2018  | CAL-Card - Jones      | Hilo, Hawaii             | Grant Writing Class – Originally registered for class in San Mateo, CA                                                                                                                   | 4,345.40  | Ms. Hodgson <sup>40</sup> |
| 6   | Jones | 7/26/2018  | CAL-Card - Jones      | Seattle, Washington      | Young Elected Official's (YEO) Conference (sponsored by People for the American Way)                                                                                                     | 4,013.49  | Ms. Hodgson <sup>41</sup> |

1. Mayor Rubio incurred a cost of \$860.20 associated with travel to Harrisburg, Pennsylvania. The only costs associated with this instance of travel were for airfare and travel insurance. According to information provided by Ms. Hodgson, Mayor Rubio attended conferences and meetings relating to the Fort Ord Reuse Authority.<sup>42</sup> She believed that the cost associated with this expense was supposed to be reimbursed to the City by the planners of the event. However, she could not locate evidence that this reimbursement was ever received by the City. CLA received additional information from the City related to this instance of travel. According to the additional information provided, Mayor Rubio was invited to attend the 62<sup>nd</sup> U.S. Army War College National Security Seminar from June 6, 2016, to June 9, 2016. The invitation email stated that meals, lodging, and daily transportation would be provided;

<sup>40</sup> Ms. Hodgson approved for payment the *Cardholder Activity Statement* where the conference registration was reflected in March 2018. Mr. Malin approved the payment for the related *Family Care Reimbursement*. However, no one signed in approval for the July 2018 *Cardholder Activity Statement* where the remaining out-of-state travel charges were reflected. According to Ms. Hodgson, after June 2018, she refused to sign the *Cardholder Activity Statements*, for Council Member Jones' CAL-Card, because she was not turning in receipts, but directed the finance department to make the payment, as otherwise all of the City CAL-Cards would be disabled for lack of payment.

<sup>41</sup> Ms. Hodgson approved for payment the *Cardholder Activity Statement* where the airfare and conference registration was reflected in April and May 2018. A note was written by hand on the *Family Care Reimbursement* request indicating Mr. Malin had approved the reimbursement for payment. No one signed in approval for the August 2018 *Cardholder Activity Statement* where the remaining out-of-state travel charges were reflected. According to Ms. Hodgson, after June 2018, she refused to sign the *Cardholder Activity Statements*, for Council Member Jones' CAL-Card, because she was not turning in receipts, but directed the finance department to make the payment, as otherwise all of the City CAL-Cards would be disabled for lack of payment.

<sup>42</sup> The Fort Ord Reuse Authority (FORA) is responsible for the oversight of Monterey Bay area economic recovery from the closure and reuse planning of the former Fort Ord military base.

- however, the U.S. Army War College would not pay for transportation to attend the seminar. The City also provided a FORA travel authorization request where the FORA Executive Officer, Michael Houlemard, was authorized to travel to the 62<sup>nd</sup> U.S. Army War College National Security Seminar as he was also invited. The travel authorization request was approved with the stipulation that Mr. Houlemard would pay for his airfare. There was no indication in the documents provided by the City that FORA approved to pay for the travel cost for Mayor Rubio to attend the 62<sup>nd</sup> U.S. Army War College National Security Seminar. Additionally, there was no advance approval by the City Council at an open meeting for this out-of-state travel. On January 15, 2019, Mayor Rubio reimbursed the City for the \$860.20 related to this out-of-state travel that was not approved at an open City Council meeting. CLA verified that the payment was received by the City. Exhibit 25 includes the support for the airfare costs related to this instance of travel, the email invitation, the FORA travel authorization request, and a copy of the check that Mayor Rubio provided to the City as a reimbursement for this questioned cost.<sup>43</sup>
2. Council Member Jones was paid by the City through a *Family Care Reimbursement* a total of \$769.00 for childcare costs related to her travel to Fort Worth, Texas. Mr. Malin stated that he had invited a City employee, a student, and Council Members to go with him to Fort Worth, Texas to be part of the interview panel for a new Police Chief. The trip was two days with a one-night hotel stay. According to Mr. Malin, the airfare and hotel costs related to the hiring of the Police Chief were not part of Council Member travel expenses.<sup>44</sup> Exhibit 26 includes a list of the individual costs incurred for this travel and the related support.
  3. Council Member Jones incurred \$4,499.03 in costs associated with her travel to Atlanta, Georgia for the National League of Cities' Women in Municipal Government conference. She charged \$2,339.03 to her City-issued CAL-Card for airfare, registration, taxis, hotel, and meals. She also requested and received a *Family Care Reimbursement* of \$2,160.00.<sup>45</sup> There was no advance approval by the City Council at an open meeting for this out-of-state travel. Exhibit 27 includes a list of the individual costs incurred for this travel and the related support.
  4. Council Member Jones incurred \$1,638.40 in costs associated with airfare and registration only for scheduled travel to Little Rock, Arkansas for the National League of Cities conference. Council Member Jones stated that she was unable to attend this conference

---

<sup>43</sup> The check from Mayor Rubio was for \$1,660.20 and included the \$860.20 related to out-of-state travel not approved by the City Council at an open meeting and \$800.00 in payment for guest expenses as detailed in Finding Number (8). The calculation is as follows: \$860.20 + \$800.00 = \$1,660.20.

<sup>44</sup> CLA reviewed Mr. Malin's expense reimbursements and identified hotel costs and a car rental that were reimbursed to him for this trip. In addition to Council Member Jones, a city employee and a student participated in the interview panel with Mr. Malin. Mr. Malin was reimbursed for one-night's hotel cost for four separate rooms. Appropriately, none of these expenses were allocated to the budget for Council Member travel expenses. He did not request an expense reimbursement for meals, although he stated that he paid for the attendees meals.

<sup>45</sup> The calculation is as follows: \$2,339.03 + \$2,160.00 = \$4,499.03.

due to health reasons.<sup>46</sup> There was no advance approval by the City Council at an open meeting for this out-of-state travel. Exhibit 28 includes a list of the individual costs incurred for this travel and the related support.

5. Council Member Jones incurred \$4,345.40 in costs associated with her travel to Hilo, Hawaii for a grant writing class. She charged a total of \$3,285.40 to her CAL-Card for airfare, registration, taxis, hotel, meals, and unknown charges.<sup>47</sup> She additionally requested and received \$1,060.00 for a *Family Care Reimbursement*.<sup>48</sup> Council Member Jones originally registered for the grant writing class that took place in San Mateo, California. There was no advanced approval by the City Council at an open meeting for this out-of-state travel. Additional concerns related to the location of travel are detailed Finding Number (4). Exhibit 29 includes a list of the individual costs incurred for this travel and the related support.
6. Council Member Jones incurred \$4,013.49 in costs associated with her travel to Seattle, Washington for the Young Elected Officials National Convening. She charged a total of \$1,853.49 to her CAL-Card for airfare, registration, taxis, hotel, and meals. She also requested and received \$2,160.00 in *Family Care Reimbursement*. Council Member Jones traveled directly from Hawaii to Seattle on July 25, 2018.<sup>49</sup> There was no advance approval by the City Council at an open meeting for this out-of-state travel. Exhibit 30 includes a list of the individual costs incurred for this travel and the related support.

#### Results of Interviews

##### ***Craig Malin***

In regards to out-of-state travel, Mr. Malin stated that although a policy was in place that required advance approval by the City Council at a public meeting, there is no procedure in place and a form does not exist to communicate these requests to the City Council at a public meeting in order to obtain this approval.

##### ***Kayla Jones***

CLA inquired with Council Member Jones whether advance approval by the City Council at a public meeting was obtained prior to her making the travel arrangements to travel outside of California. She stated that no one had mentioned this requirement to her. Council Member Jones

---

<sup>46</sup> Although Council Member Jones did not attend this conference, there was no refund of the registration cost and there was a credit issued to her name for the airfare cost. This topic is discussed in detail in Finding Number (6).

<sup>47</sup> Because Council Member Jones did not turn in many receipts or provide an explanation for these charges, CLA is unable to determine the nature of some of the charges using only the CAL-Card statement. The concern over receipts that were not turned in is discussed in detail in Finding Number (7).

<sup>48</sup> Refer to Section 8 e. *Family Care Reimbursements* for a complete discussion.

<sup>49</sup> The grant writing class in Hawaii took place July 23, 2018, and July 24, 2018. The Young Elected Officials National Convening in Seattle took place from July 26, 2018, to July 29, 2018.

communicated that she was told to “just let the City Manager know” of any plans for traveling, solely for notification purposes, but not as a means to obtain approval.

#### Conclusion

Expenses related to Council Member out-of-state travel were incurred without approval by the City Council at a public meeting. These actions did not comply with the City’s *Expense and Use of Public Resources* policy. CLA identifies this policy non-compliance as Finding Number **(3)**.

#### **c) Certain Council Member Travel Expenses Did Not Comply With City Policy**

CLA reviewed the expenses incurred by Council Members to identify activity that did not comply with City policies/and or appeared unusual or questionable in nature. This section details the results of this review and provides findings for expenses that do not comply with City policy, identified as Finding Numbers **(4)** through **(13)**.

#### **(4) Not a Necessary Expense to the City (Personal Expense) - Kayla Jones - \$2,766.44:**

##### Introduction

CLA reviewed the expenses incurred by each Council Member to identify expense items that were not necessary for the performance of official duties and represented a personal expense of the Council Member.

##### California Government Code and City Policy

California Government Code § 36514.5 states, “Council Members may be reimbursed for actual and necessary expenses incurred in the performance of official duties.” Exhibit 31 includes this section of the California Government Code.

The City’s *Expense and Use of Public Resources* policy provides examples of personal expenses that the City will not reimburse, which includes the personal portion of any trip.

The *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, when she received her CAL-Card, communicates that City purchasing cards are for official City use only. “Charging personal expenses on City Cards is a misuse of City funds and a serious breach of the City ethics policy.” It further states that adequate supporting documentation will (must) be retained for all charges (refer to Exhibit 15).

##### Condition

Council Member Jones was the only Council Member for whom expenses that were not related to official duties were identified. CLA identified a total of \$2,766.44 charged to the CAL-Card of Council Member Jones for expenses that were not necessary, as they were not incurred in the performance of official duties. This amount includes four separate travel instances of Council Member Jones. The receipts for these expenses were not turned in to the City by Council Member Jones, and the City obtained the hotel receipts directly from the hotels. None of these expenses were approved in advance, and Ms. Hodgson approved the CAL-Card statement for



payment.<sup>50</sup> Table 14 includes a summary of expenses that were not related to her official duties and instead represent a personal expense of Council Member Jones.

**Table 14: Not A Necessary Expense to The City (Personal Expense) – Kayla Jones<sup>51</sup>**

| Destination         | Airfare | Hotel    | Meals    | Parking  | Taxi   | Total              | Reference |
|---------------------|---------|----------|----------|----------|--------|--------------------|-----------|
| Anaheim, California | \$ -    | \$944.19 | \$148.74 | \$ 84.00 | \$ -   | \$ 1,176.93        | 1)        |
| Atlanta, Georgia    | -       | -        | 215.86   | -        | -      | 215.86             | 2)        |
| Hilo, Hawaii        | -       | 524.02   | 61.04    | -        | 181.25 | 766.31             | 3)        |
| Seattle, Washington | 307.20  | 255.16   | 44.98    | -        | -      | 607.34             | 4)        |
| Total               |         |          |          |          |        | <u>\$ 2,766.44</u> |           |

The “Reference” column on the far right in Table 14 corresponds to the numbered bullets included below that provide a more detailed discussion of each trip.

**1) Anaheim, California, April 2018 – Personal Expense Total: \$1,176.93**

Council Member Jones attended the 2018 Women’s Conference (by California Women Lead) held at the Disneyland Resort in Anaheim, California. Expenses related to this conference were charged to her City-issued CAL-Card.<sup>52</sup> Although Council Member Jones did not provide the City with a receipt for her hotel and meal expenses, or a copy of the conference itinerary, a receipt was obtained directly from the Disneyland Resort and the conference itinerary was obtained online by CLA. The conference was one and a half days long. It began at 8:00 a.m. on April 26, 2018, and ended at 2:00 p.m. on April 27, 2018. Exhibit 32 contains the conference itinerary, a listing of all costs incurred, the corresponding CAL-Card statements, and the hotel receipt obtained. Exhibit 33 contains the listing of Personal Expenses for this trip and the associated available support.

***Hotel Costs - \$944.19***

Hotel accommodation costs of \$1,573.65 were incurred on the CAL-Card for Council Member Jones for the Disneyland Resort in Anaheim, California related to her attendance at the 2018 Women’s Conference. This amount was composed of a \$314.73 deposit on March 6, 2018, a charge of \$1,258.92 (of which \$1,016.20 was for lodging), and another charge on April 29, 2018, for \$242.72 (Exhibit 33).<sup>53</sup> These costs were for a five-night stay from April 24, 2018, through April 28, 2018; however, as stated above, the 2018 California Women’s conference began at 8:00 a.m. on April 26, 2018, and

<sup>50</sup> Ms. Hodgson signed in approval for payment for the CAL-Card *Cardholder Activity Statements* for March 2018 through June 2018. After June 2018, she refused to sign the *Cardholder Activity Statements*, but directed the finance department to make the payment, as otherwise all of the City CAL-Cards would be disabled for lack of payment.

<sup>51</sup> The amounts identified in the table reflect the portion of the trip’s cost deemed to be personal or unnecessary. They do not reflect the entire cost of the trips.

<sup>52</sup> Council Member Jones stated that she had her husband and daughter travel with her to the Disneyland Resort.

<sup>53</sup> Hotel accommodations totaled \$1,573.65 (\$314.73 + \$1,016.20 + \$242.72 = \$1,573.65). Other charges included on the hotel receipt related to meals, which are discussed separately in the section below.



ended at 2:00 p.m. the next day. This conference would have required at most a two-night stay (arriving on April 25, 2018, the day before the conference started, and departing on April 27, 2018, the same day the conference ended), which would have cost \$629.46.<sup>54</sup> Therefore, the unnecessary cost identified for this hotel stay is \$944.19, which represents a personal expense of Council Member Jones.<sup>55</sup>

#### *Costs for Meals - \$148.74*

Two meals were charged to Council Member Jones' hotel room on April 28, 2018. One meal was \$43.75 and the other was \$30.76. These meal costs were incurred after the conference had ended the day before at 2:00 p.m. Exhibit 33 includes the hotel receipt.

A \$74.23 meal cost was incurred at the Rain Forest Café Disneyland on April 26, 2018. Additionally, the hotel receipt listed a meal charge for \$28.21 on April 26, 2018.<sup>56</sup> Because the conference itinerary obtained by CLA indicates that lunch and dinner were provided by the conference on April 26, 2018, only breakfast should have been purchased by Council Member Jones. Therefore, the \$74.23 meal at Rain Forest Café Disneyland on April 26, 2018 was not necessary and is considered a personal expense. Exhibit 33 includes the charge made to the CAL-Card.

#### *Costs for Parking - \$84.00*

Valet parking costs of \$140.00 were charged to the CAL-Card for Council Member Jones while she was staying at the Disneyland Resort in Anaheim, California during her attendance at the 2018 California Women's conference. Valet parking cost \$28 per day. As mentioned above, this conference would have required at most a two-night stay; therefore, \$84.00 ( $\$28.00 \times 3 = \$84.00$ ) was determined to not be necessary and is considered a personal expense. Exhibit 33 contains the hotel receipt listing the valet parking costs.

#### *Results of Interview – Kayla Jones*

During her interview, Council Member Jones stated that she had driven to this conference and had taken her husband and daughter with her. She additionally stated that it was her understanding that she could arrive a day in advance of the conference and leave the day after. She believed that meeting materials were available for pick-up

---

<sup>54</sup> The nightly rate for the necessary hotel stay was calculated based on the actual rates listed on the hotel receipt, as follows: \$269.00 room rate, \$40.35 tax, and \$5.38 ATID assessment for a total of \$314.73 per night ( $\$269.00 + \$40.35 + \$5.38 = \$314.73$ ). Two nights would have totaled \$629.46 ( $\$314.73 \times 2 = \$629.46$ ).

<sup>55</sup> The calculation for the personal expense amount for hotel accommodations is as follows: \$269.00 room rate, \$40.35 tax, and \$5.38 ATID assessment for a total of \$314.73 per night ( $\$269.00 + \$40.35 + \$5.38 = \$314.73$ ). Three nights totals \$944.19 ( $\$314.73 \times 3 = \$944.19$ ).

<sup>56</sup> Although the meal listed on the hotel receipt for April 26, 2018 for \$28.21 did not list the time or whether it was a breakfast, lunch, or dinner, CLA determined that it would be reasonable to categorize this meal as a breakfast that would be needed for Council Member Jones.

and registration occurred on the day before the conference began (April 25), and the day after the conference ended (April 28) there were still hosted conference events.<sup>57</sup> Council Member Jones stated that she had charged the Rain Forest Café restaurant meal to her City-issued CAL-Card in error and believed it was included in the reimbursement she paid to the City of \$490.00.<sup>58</sup> Council Member Jones indicated that she would provide CLA with an itemized listing of the expenses she was intending to reimburse the City with the \$490.00 payment.<sup>59</sup>

2) Atlanta, Georgia – May 30, 2018 to June 2, 2018 – Personal Expense Total: \$215.86

Council Member Jones attended the *Women in Municipal Government* conference scheduled from May 30, 2018, at 12:00 p.m., to June 2, 2018, at 1:00 p.m. in Atlanta, Georgia. Expenses related to this conference were charged to her City-issued CAL-Card.<sup>60</sup> Although Council Member Jones did not provide the City with a receipt for the Omni hotel and meal expenses, or a copy of the conference itinerary, a receipt was obtained directly from the Omni Hotel and the conference itinerary was obtained online by CLA. Council Member Jones charged to her CAL-Card airfare cost in addition to her original bookings and an additional night stay at the Westin hotel for the night of June 2, 2018. Council Member Jones provided copies of some of her detailed meal receipts (from the Omni hotel) to CLA during her follow-up interview. (Exhibit 34 contains the hotel receipts for the Omni hotel and Westin hotel, conference itinerary, a listing of all costs incurred, the corresponding CAL-Card statements, and the detailed meal receipts obtained from Council Member Jones after her follow-up interview).

*Costs for Meals - \$215.86*

Meal costs of \$215.86 appeared on the Omni Hotel receipt and were charged to the CAL-Card for Council Member Jones related to her stay in Atlanta, Georgia. CLA reviewed the conference itinerary and determined the following meal costs incurred by Council Member Jones were not necessary as the particular meal was provided by the conference. Exhibit 35 contains a listing of the personal expenses for this trip along with the detailed receipts provided by Council Member Jones to CLA.

---

<sup>57</sup> Council Member Jones registered for this conference in advance on March 6, 2018. Although general registration was included on the conference schedule for Wednesday, April 25, 2018 from 4:00 p.m. to 6:00 p.m., general registration was also included for the morning of Thursday, April 26, 2018 from 8:00 a.m. to 11:00 a.m. Because Council Member Jones had already registered, the only task for her to complete prior to attending the first session would have been to check in and pick up her conference packet, and she could have done this on the morning of April 26, 2018. This did not require her to travel to the Disneyland Resort prior to April 25, 2018.

<sup>58</sup> CLA verified that Council Member Jones paid the City \$490.00. However, in a follow-up email from Council Member Jones to CLA, she indicated that the \$490.00 payment she made to the City was to reimburse the City for her personal expenses for hotel charges related to her stay in Hawaii, which is discussed in bullet number 3 below.

<sup>59</sup> Any costs the City determines Council Member Jones should refund the City should be offset by the \$490.00 payment she made on September 1, 2018.

<sup>60</sup> Council Member Jones stated that no one traveled with her to this conference.

- o Dinner of \$35.26 on May 30, 2018 – Dinner was included as part of the conference from 6:00 p.m. to 8:00 p.m. The dinner receipt shows a time stamp of 9:04 p.m. for two guests.
- o Breakfast of \$31.27 on May 31, 2018 – Breakfast was included as part of the conference from 8:00 a.m. to 9:00 a.m. The receipt provided by Council Member Jones shows a time stamp of 9:47 a.m., which indicates that she did not attend the conference-hosted breakfast and missed at least the first hour of the first session, which was from 9:00 a.m. to 11:00 a.m.
- o Lunch of \$31.93 on May 31, 2018 – Lunch was included as part of the conference from 11:30 a.m. to 12:45 p.m. The meal receipt shows a time stamp of 4:02 p.m., which may signify that she did not attend the “mobile tour” session, which took place from 1:45 p.m. to 4:45 p.m.
- o Dinner of \$44.56 on May 31, 2018 – Dinner was included as part of the conference from 6:30 p.m. to 9:00 p.m. The dinner receipt shows a time stamp of 9:01 p.m.
- o Breakfast of \$31.27 on June 1, 2018 – Breakfast was included as part of the conference as a roundtable session from 8:00 a.m. to 9:00 a.m. The breakfast receipt for this day shows in-room dining at 11:11 a.m. This indicates that Council Member Jones did not attend the breakfast roundtable, may not have attended the first session from 9:00 a.m. to 10:15 a.m., and did not attend the second session from 10:30 a.m. to 11:45 a.m.
- o Breakfast of \$41.57 on June 2, 2018 – Breakfast was included as part of the conference, from 8:30 a.m. to 9:00 a.m. (Council Member Jones did not provide this receipt; however, the Omni Hotel receipt listed this charge as “Room Service Breakfast Food”).

#### *Results of Interview – Kayla Jones*

CLA inquired with Council Member Jones whether meals were included as part of the conference and she responded that meals were not part of the conference. When CLA mentioned that the conference itinerary showed meals were included, she stated that all she recalled having as part of the conference was a meal that was provided on a bus during a tour. She also recalled one dinner meal that she was supposed to attend at the city hall, but she was not on the registration list and was not able to attend.<sup>61</sup>

CLA asked Council Member Jones why there was an additional night stay at the Westin Hotel for June 2, 2018, when the conference had ended at 1:00 p.m. on June 2, 2018. Council Member Jones stated that the Omni hotel had lost her luggage, which caused

---

<sup>61</sup> Her statements are inconsistent with the conference itinerary as meals are specifically identified and none of the meals listed on the itinerary specifies that a separate registration was required for any meals.

her to miss her flight, thus she had to stay another night in Atlanta at the Westin hotel. Council Member Jones did not provide the receipts for either the original or additional charge for American Airlines. However, because the additional American Airlines charge was listed on her CAL-Card on June 2, 2018, which is the day the conference ended, CLA concludes that it was possible that she missed her flight, which caused her to incur additional costs to change the flight and for an additional night at the Westin hotel.<sup>62</sup> Therefore, CLA does not identify the additional airfare cost or night stay at the Westin hotel as a personal expense.

3) Hilo, Hawaii – July 23, 2018 to July 24, 2018 – Personal Expense Total: \$766.31<sup>63</sup>

Council Member Jones attended a grant writing class that took place on July 23, 2018, and July 24, 2018, from 9:00 a.m. to 4:00 p.m. each day.<sup>64</sup> Costs related to this conference were incurred on her City-issued CAL-Card. Council Member Jones did not provide the hotel receipt to the City; therefore, the receipt was obtained by the City directly from the hotel. Exhibit 36 includes a listing of all costs incurred, the corresponding CAL-Card statements. Exhibit 37 contains the listing of Personal Expenses for this trip and the associated available support. Council Member Jones originally scheduled to attend this class in San Mateo, California; however, she claimed she could not attend the class scheduled in San Mateo, California due to illness and rescheduled to attend the class offered in Hilo, Hawaii.

*Hotel Costs - \$524.02*

On July 25, 2018, hotel accommodation costs of \$1,310 were charged to the CAL-Card for Council Member Jones for her stay at the Double Tree Hawaii hotel in Hilo, Hawaii, which included the base room rate and related taxes for five nights, July 20, 2018, to July 24, 2018 (Exhibit 37).<sup>65</sup> Although the related hotel stay included a total of five nights, this class would have required at most a three night stay (arriving on July 22, 2018, the day before the class started, and departing on July 25, 2018, the day after the

---

<sup>62</sup> There were two separate occasions when Council Member Jones stated that a hotel had lost her luggage causing the City to bear the cost of a flight change and an additional night of hotel charges. Although CLA does not identify the additional cost in this instance as a personal expense, the total additional related cost is \$264.92. The total cost relates to \$75.00 for the flight itinerary change, \$132.42 for the additional night stay, \$57.50 for two meals for a total of \$75.00 + \$132.42 + \$57.50 = \$264.92.

<sup>63</sup> In addition to the travel costs discussed here, the City paid Council Member Jones \$1,060.00 for a *Family Care Reimbursement* request associated with her travel to Hawaii. She acknowledged during the interview that because her husband had travel with her to Hawaii, she should have not requested this reimbursement from the City. This item is discussed in detail in Finding Number (18).

<sup>64</sup> Although the grant writing class did not begin until July 23, 2018, because of the distance, it is reasonable that costs incurred on July 22, 2018 were necessary to attend this class.

<sup>65</sup> The total charge from the Double Tree hotel was \$1,382.86, which included the \$1,310.05 room and related tax costs plus two restaurant charges of \$32.29 for July 21, 2018, and \$40.52 for July 23, 2018.

class ended), which would have cost \$786.03.<sup>66</sup> Therefore, the unnecessary cost identified for this hotel stay is \$524.02 for two extra nights, which represents a personal expense of Council Member Jones.

#### *Costs for Meals - \$61.04*

Total meal costs of \$61.04 were charged to the CAL-Card for Council Member Jones during her stay in Hawaii that CLA determined were for personal expenses. Based on the days for this class, CLA identified the following meals costs that were not necessary. The earliest that Council Member Jones should have incurred meal expenses paid by the City was July 22, 2018 as a travel day, because the class did not begin until July 23, 2018.

- o Cost of \$24.83 for a meal on July 21, 2018 charged to the room
- o Cost of \$3.92 at an establishment named "Sunset News" on July 21, 2018
- o Cost of \$32.29 for a meal charged to the room on July 23, 2018. Three other meal charges were made directly to Council Member Jones' CAL-Card for July 23, 2018, thus the \$32.29 charged to the hotel room would be a fourth meal for July 23, 2018

#### *Costs for Transportation - \$181.25*

Transportation costs of \$164.25 were charged to the CAL-Card for Council Member Jones for Lyft and Uber on July 21, 2018 and July 23, 2018. Council Member Jones stated during her interview that Uber and Lyft charges while she was in Hawaii were incurred by a family member in California who was using her Lyft and Uber account, which was linked to her City-issued Cal Card. There was also a taxi charge of \$17.00 on July 21, 2018, which was two days before the class started.

#### *Results of Interview*

##### ***Kayla Jones***

Council Member Jones acknowledged that she originally enrolled for the grant writing class in San Mateo, California, to be held in April 2018, but had "missed that class because [she] was sick." She stated that she was provided with a list of other options and "there wasn't anything coming up locally anytime soon." She mentioned that the other locations available were Miami, Florida, and Anchorage, Alaska. When CLA asked why she selected the Hawaii location, she responded, "I just don't like Florida and I didn't know anything about Alaska, it just seemed like cold. I mean, it was really simple, I just didn't want to go somewhere freezing and I don't like Florida."

---

<sup>66</sup> This amount includes the room rate of \$229.00 per night, \$23.47 for transient tax, and \$9.54 for general excise tax for a total of \$262.01 per night (\$262.01 x 3 = \$786.03).

Council Member Jones stated that she did not remember why she would have arrived in Hilo, Hawaii on July 20, 2018, instead of the night of July 22, 2018. Council Member Jones stated that her husband had traveled with her on this trip. She stated that this issue was brought to her attention by the City and the excess hotel stay costs were included in the reimbursement she paid to the City of \$490.00 on September 1, 2018. She stated that she would provide CLA with an itemized listing of the expenses she was intending to reimburse the City with the \$490.00 payment. She followed up with an email to CLA on December 14, 2018, stating that the \$490.00 was to repay the City for the two extra nights in Hawaii, which she believed was \$220.00 for each night and three Uber and Lyft charges.<sup>67</sup>

### ***Craig Malin***

Mr. Malin commented that he became aware of Council Member Jones' plan to travel to Hawaii in July 2018, only after Council Member Jones had purchased the airfare and registered for the grant writing class. Ms. Hodgson had brought to his attention that the travel booked by Council Member Jones was not consistent with City policy due to the destination. Mr. Malin inquired with Council Member Jones regarding the purpose for the travel to Hawaii and learned that it was for a grant writing class. He told Council Member Jones that grant writing and overseeing of grant writing was not something directly within her areas of responsibility as a Council Member. However, he stated to CLA that she was determined to attend. Mr. Malin stated that if this had been a staff member, he would have said, "You're not going to Hawaii to go to a grant-writing class." He communicated to Council Member Jones that the policy required prior approval by the City Council, and, because she had already incurred the expense, she had to inform the City Council.

According to Mr. Malin, Council Member Jones made a presentation to the City Council after she returned from Hawaii and mentioned having attended the grant writing class; however, she did not inform the City Council of the location of the class or the cost of the trip.

### ***Results of Internet Searches***

CLA reviewed internet archives to identify the class schedule for the grant writing class offered by Grant Writing USA, the organization Council Member Jones registered with for this class. Originally, she was registered to take the class in San Mateo, California, on April 4-5, 2018. Based on the schedule of classes available, after Council Member Jones missed her originally scheduled class, the following five options were available in California: Merced, CA: May 14-15, 2018; Walnut Creek, CA: June 28-29, 2018; San Diego, CA: August 8-9, 2018; and Ontario, CA: August 15-16, 2018. Exhibit 38 contains the schedule of available classes.

---

<sup>67</sup> Any costs the City determines Council Member Jones should refund the City must be offset by the \$490.00 payment she made on September 1, 2018.

*Results of Council Meeting Recordings*

On August 2, 2018, at minute 00:38:41 of the City Council meeting recording, Council Member Jones communicated to the City Council that she had attended a grant writing workshop. She stated, "I attended a grant writing workshop, which sounds more exciting than it was, it was mind-numbing, really, fourteen hours of that." She went on to communicate that because she had attended the grant writing workshop, she could attend a grant management workshop in Walnut Creek.<sup>68</sup> However, although she stated the location for a future class she planned to attend, at no point did she state that she traveled to Hawaii for the grant writing class, or state the cost associated with her travel to Hawaii, as had been previously recommended to her by Mr. Malin.

4) Seattle, Washington – July 25, 2018 to July 30, 2018 – Personal Expense Total: \$607.34

Council Member Jones attended the 2018 National Convening sponsored by the Young Elected Officials Network. This convening took place from July 26, 2018, at 12:00 p.m. through July 29, 2018, at 1:30 p.m. Council Member Jones did not provide the hotel receipt to the City, and the receipt was obtained by the City directly from the hotel. Exhibit 39 contains the conference itinerary, a listing of all costs incurred, the corresponding CAL-Card statements, and the hotel receipts. Exhibit 40 contains the listing of Personal Expenses for this trip and the associated available support.

*Airfare Costs – \$307.20*

On April 18, 2018, Council Member Jones booked a return flight from Seattle to San Jose for July 29, 2018 at 5:01 pm with Delta Air, as reflected in a charge to her CAL-Card of \$225.30 (Exhibit 40). This flight schedule appeared appropriate based on the convening ending at 1:30 p.m. on July 29, 2018. However, on July 28, 2018 (the day before the last day of the convening), Council Member Jones incurred an additional cost of \$307.20 with Delta Air as reflected by a charge to her CAL-Card on July 28, 2018. Council Member Jones did not provide to the City or CLA a copy of the flight itinerary or receipt to support this charge from Delta Air. An additional charge of \$25.00, which is consistent with a bag check-in fee, was charged to her CAL-Card on July 30, 2018. Additionally, Council Member Jones incurred costs for a hotel stay on the night of July 29, 2018, which is discussed in the next paragraph. This fact pattern indicates that Council Member Jones changed her return flight in order to stay in Seattle for an extra night after the convening ended for reasons that appear to be unrelated to her official duties as a Council Member. The charge of \$307.20 incurred by Council Member Jones to change the date of her return flight from Seattle to San Jose was not necessary and should not have been paid by the City.

---

<sup>68</sup> Walnut Creek is a distance of approximately 115 miles from the City of Seaside.



*Hotel Costs - \$255.16*

On July 30, 2018, \$255.16 was charged to the CAL-Card for Council Member Jones for a one-night stay in Seattle, Washington on July 29, 2018 (Exhibit 40).<sup>69</sup> This one night stay was after the convening had ended at 1:30 p.m. on July 29, 2018. Based on the original return flight booked by Council Member Jones, her original itinerary had her returning to San Jose, California on July 29, 2018 at 5:01 p.m., which makes this extra night in Seattle unnecessary and it should not have been paid by the City.

*Meal Costs - \$44.98*

On July 30, 2018, \$44.98 was charged to the hotel room for breakfast. This was the extra day Council Member Jones stayed at the hotel after the convening had ended at 1:30 p.m. on July 29, 2018. Based on the original return flight booked by Council Member Jones, her original itinerary had her returning to San Jose, California on July 29, 2018 at 5:01 p.m., which makes this meal cost in Seattle unnecessary and it should not have been paid by the City.

*Results of Interview – Kayla Jones*

Council Member Jones stated that she stayed an additional night in Seattle after the convening ended on July 29, 2018 at 1:30 p.m. because the hotel had lost her luggage the day she was supposed to return to San Jose, California. CLA communicated to Council Member Jones that the CAL-Card charge for the flight change occurred on July 28, 2018, the day before the convening ended. Therefore, her statement that she needed to change her flight back to San Jose, California because her luggage was lost appears inconsistent with this fact pattern. Council Member Jones then stated she would attempt to locate the receipt for the change to her return flight. Council Member Jones did not provide this receipt; therefore, CLA must rely on the transaction date recorded on the CAL-Card statement.

Conclusion

It is CLA's conclusion that the costs described above of \$2,766.44 incurred by Council Member Jones and charged to her City-issued CAL-Card were not expenses that were necessary for the performance of her official duties as a Council Member. These costs represent a personal expense of Council Member Jones and should not have been paid by the City. The California Government Code § 36514.5 states, "Council Members may be reimbursed for actual and necessary expenses incurred in the performance of official duties." The City's *Expense and Use of Public Resources* policy states that the City will not reimburse for the personal portion of any trip. The costs identified above do not comply with these requirements. Additionally, According to the *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, "Charging personal expenses on City Cards is a misuse of City funds and a serious breach

---

<sup>69</sup> The conference fee included the hotel stay, and the only additional hotel stay costs are for the night that Council Member Jones stayed after the conference ended on July 29, 2018 at 1:30 p.m.



of the City ethics policy.” This Government Code and City policy violation is identified as Finding Number (4).

Additionally, Council Member Jones did not provide the City with a majority of the receipts for the charges she made to her City-Issued CAL-Card. However, based on the few receipts that Council Member Jones provided to CLA, there is indication that she did not attend all of the sessions included in some of the conferences, which was the purpose of the expenses being incurred by the City.

Although the amount identified by CLA as a personal expense in Finding Number (4) related to her trip to Hawaii is only \$766.31, based on Council Member Jones’ misrepresentations to the City and to CLA, as presented in the bullets below, the City should consider whether the entire cost of this trip (\$4,345.40) represents a personal expense of Council Member Jones (Refer to Exhibit 29).<sup>70</sup>

- Council Member Jones was not truthful in her representations to the City and CLA that her only options to make up the missed class included Hawaii, Florida, and Alaska, when in fact, five other options existed within California that she could have attended.<sup>71</sup>
- Council Member Jones was accompanied by her husband for this trip.
- Council Member Jones omitted the fact that she had traveled to Hawaii for the grant writing class during her presentation to the City Council on August 2, 2018.

**(5) Expenses that Exceed City Policy Limits: Kayla Jones - \$443.03; Dennis Alexander - \$76.90; Jason Campbell - \$14.73:**

Introduction

CLA reviewed expenses incurred by Council Members to identify expense items that exceeded dollar threshold limits specifically stated in the *Expense and Use of Public Resources* policy.

City Policy

The City’s *Expense and Use of Public Resources* policy provides that meal expenses will be reimbursed at actual costs, not to exceed \$12.00 for breakfast, \$18.00 for lunch, and \$36.00 for dinner. The policy goes on to say that “any meal expenditures that were paid by CAL-Card and exceed individual meal amounts must be returned to the City Treasurer within ten (10) business days of the official’s return, along with an expense report and receipts documenting each meal

<sup>70</sup> The total cost of \$4,345.40 includes *Family Care Reimbursements* paid to Council Member Jones related to this trip.

<sup>71</sup> Although it was communicated to CLA by Mr. Malin that Council Member Jones was not in any way involved in the grant writing process for the City, CLA does not make a conclusion as to whether a grant writing class was a necessary course for Council Member Jones to attend.

in compliance with this expense policy.” This policy also provides for a baggage handling fee limit of \$1.00 (one dollar) per bag.<sup>72</sup> (Refer to Exhibit 05).

The *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, states that City purchasing cards may be used to pay for travel expenses. However, the City’s regular travel guidelines apply to all such purchasing card payments, including the use of travel authorizations and per diem amounts.

#### Condition

CLA identified a total \$534.66 in costs that exceeded dollar thresholds allowed by the City *Expense and Use of Public Resources* policy. These expenses are related to Council Member Jones’ purchases of meals and luggage check-in fees, three meals for Mayor Pro Tem Alexander, and one meal for Council Member Campbell. Exhibit 41 includes a listing of these expenses, and denotes who approved them for payment. Table 15 includes the amounts that CLA determined exceeded the City Policy limits.

**Table 15: Expenses that Exceed City Policy Limits**

| Council Member   | Airfare – Luggage Check-In | Meals     | Total            | Reference |
|------------------|----------------------------|-----------|------------------|-----------|
| Kayla Jones      | \$ 168.00                  | \$ 275.03 | \$ 443.03        | 1)        |
| Dennis Alexander | -                          | 76.90     | 76.90            | 2)        |
| Jason Campbell   | -                          | 14.73     | 14.73            | 3)        |
| Total            |                            |           | <u>\$ 534.66</u> |           |

The instances in which expenses exceeded the dollar threshold limits established by City policy are discussed below for each of the three Council Members listed in Table 15.

#### 1) Council Member Jones

Council Member Jones attended six conferences during which she incurred meal costs and checked luggage fees that exceeded the amounts allowed by City policy.<sup>73</sup>

#### *Meal Costs \$275.03*

Council Member Jones incurred 18 meal charges on her City-issued CAL-Card that exceeded the City’s meal allowance limits. These are for meals that were necessary because the related conference did not include these meals as part of the registration cost. However, although necessary, they exceeded the City’s meal allowance limits.

<sup>72</sup> CLA confirmed with Ms. Hodgson that this policy limitation of \$1.00 for baggage handling fees relates to luggage check-in for flights.

<sup>73</sup> This section excludes costs previously identified as personal expenses, which are discussed in Finding Number (4). Ms. Hodgson signed in approval for payment for the CAL-Card *Cardholder Activity Statements* where these charges were listed for March 2018 through June 2018. After June 2018, she refused to sign the *Cardholder Activity Statements*, but directed the finance department to make the payment, as otherwise all of the City CAL-Cards would be disabled for lack of payment.

(Exhibit 42 contains the listing of these charges, the related CAL-Card statements, and hotel receipts where meals were charged).

*Luggage Check-In Fees \$168.00*

Council Member Jones incurred seven charges that exceeded the City's luggage check-in fee allowance by \$168. Each charge was \$25, while the City policy allows for only \$1.00. Exhibit 42 contains the listing of these charges and the related CAL-Card Statements.

*Results of Interviews*

**Kayla Jones**

Council Member Jones stated that she was not familiar with the City's *Expense and Use of Public Resources* policy prior to incurring these costs. CLA reminded Council Member Jones that this policy was handed out to all Council Members at the time that the *Family Care Reimbursement* resolution was discussed and approved on July 20, 2017. She stated that, although she recalled the time when the *Family Care Reimbursement* was approved to be added to the policy, she did not recall, "seeing it at that time."

Council Member Jones was asked if she was aware of the City policy limits for breakfast, lunch, and dinner. She stated that she was not aware of this policy and only became aware when Mr. Malin had discussed these limits with her after she had already incurred the costs and after her last trip, which was to Seattle in July 2018.

In regards to the \$1.00 allowance for luggage check-in fees, she stated that the first time she heard about this was at that moment during her interview with CLA.

**Craig Malin**

CLA inquired with Mr. Malin whether he recalled if Council Member Jones had been provided the City's *Expense and Use of Public Resources* policy as part of her onboarding process in December 2016 or at any other point.

Mr. Malin stated that the onboarding process for Council Members has improved recently, and he did not recall whether the City's *Expense and Use of Public Resources* policy was provided to her as part of the onboarding process. He only recalled having had three conversations related to meals with Council Member Jones; however, the conversations did not include a discussion of meal allowance limits.<sup>74</sup>

---

<sup>74</sup> CLA identified one text communication on June 29, 2018, in which Council Member Jones asked Mr. Malin about whether she could charge a lunch with Chief Pridgen to her City-issued CAL-Card. She stated that she "would just rather not to have to nickel-and-dime" herself any time a member of staff wanted to meet with her. Mr. Malin replied, "use of the card for a working lunch is fine." No additional instructions were provided (Exhibit 43 includes these text communications).

### *Review of Documents*

The City's *Expense and Use of Public Resources* policy was provided to all Council Members in the agenda packet for the July 20, 2017 Council meeting. Additionally, the *Purchasing Card Use Agreement* signed by Council Member Jones on March 1, 2018, states that the cardholder was provided with a copy of the *City's Purchasing Card* policies and procedures and agrees to comply with all of the terms and conditions set forth therein (refer to Exhibit 15). The *City's Purchasing Card* policies and procedures document states, "purchasing cards may be used in paying for travel expenses. However, the City's regular travel guidelines apply to all such purchasing card payments, including the use of travel authorizations and per diem amounts." Exhibit 15 includes this document. Further evidence that Council Member Jones should have known about the meal allowance limits includes a *Travel Reimbursement* request form that Council Member Jones completed on January 17, 2017. Exhibit 44 includes this document. The form includes the cost allowed for meals at \$12 for breakfast, \$16 for lunch, and \$36 for dinner.

#### 2) Mayor Pro Tem Alexander

##### *Meal Costs \$76.90*

In early September 2018, while traveling to a League of California Cities conference in Long Beach, California, Mayor Pro Tem Alexander incurred costs for one meal at a restaurant and two separate meals at his hotel. Each of these three meals exceeded the maximum allowance in the City's policy. Mayor Pro Tem Alexander submitted to Ms. Salcedo one detailed receipt for his meal at a restaurant, the hotel receipt listing the two meals, and the detailed receipts related to the two hotel meals. Ms. Salcedo completed the expense reimbursement form for him and listed the actual cost incurred without regard for the City policy limits. Additionally, the two meals he had at the hotel were duplicated on the expense reimbursement form, as they were included once based on the hotel receipt and a second time based on the detailed receipts. Therefore, an excess of \$76.90 was paid via check to Mayor Pro Tem Alexander. Mr. Malin approved the expense reimbursement. On January 16, 2019, Mayor Pro Tem Alexander reimbursed the City for the \$76.90 that was paid to him in excess of the maximum allowance specified in the City's policy. CLA verified that the payment was received by the City. Exhibit 45 contains the related support including a copy of the check paid to the City.<sup>75</sup>

---

<sup>75</sup> Mayor Pro Tem Alexander paid the City for the \$76.90 from expenses the exceeded the City Policy limits and for \$150.00 for guest expense previously not reimbursed to the City as detailed in Finding Number (8). The total was \$76.90 + \$150.00 = \$226.90; However, Mayor Pro Tem paid with a check totaling \$227.00 as he rounded to the nearest dollar.

### 3) Council Member Campbell

#### *Meal Costs \$14.73*

On September 15, 2017, while traveling to a League of California Cities conference in Sacramento, California, Council Member Campbell incurred a hotel charge of \$26.73 for breakfast, which exceeded the maximum allowance of \$12.00 for breakfast. This expense was incurred on the CAL-Card of Ms. Salcedo. Mr. Malin approved the *Cardholder Activity Statement* where the hotel charge was listed. Exhibit 46 includes the hotel receipt. On January 16, 2019, Council Member Campbell reimbursed the City the \$14.73 that the City paid in excess of maximum breakfast allowance. CLA verified that the payment was received by the City. Exhibit 46 also includes a copy of the check paid to the City by Council Member Campbell.

#### Conclusion

CLA concludes that Council Member Jones incurred, on her City-issued CAL-Card, meals and luggage check-in fees that exceeded the dollar limits allowed per City Policy by \$443.03. Mayor Pro Tem Alexander incurred meal costs that exceeded the City policy limits by \$76.90. Similarly, Council Member Campbell incurred meal costs that exceeded City policy limits by \$14.73 for a breakfast that was charged to his hotel room and paid by the CAL-Card of Ms. Salcedo. CLA identifies this violation of City policy as Finding Number (5).

Regardless of whether Council Member Jones, Council Member Campbell, or Mayor Pro Tem Alexander, were aware of the City policy limits on breakfast, lunch, and dinner, or the allowance for luggage check-in fees, the excess amounts were in violation of the City *Expense and Use of Public Resources* policy. Furthermore, neither Council Member Jones nor Council Member Campbell turned into the City “an expense report and receipts documenting each meal in compliance with [the City] policy.” Because these costs were incurred on a City CAL-Card, the meal expenses that exceeded individual meal amounts should have been returned to the City within ten business days of the officials’ return along with the expense report and receipts.

Pro Tem Alexander’s meal costs that exceeded City policy limits were paid to him as an expense reimbursement and were not incurred on a City-issued CAL-Card. Therefore, it appears that City management did not enforce the City policy limits when approving and processing this travel reimbursement.<sup>76</sup> Additionally, the review process did not identify the meal duplication error on the travel reimbursement request.

As stated, Mayor Pro Tem Alexander and Council Member Campbell reimbursed the City on January 16, 2019, for the identified questioned costs related to meals that exceeded the dollar limits allowed per City Policy.

---

<sup>76</sup> The travel reimbursement request was approved by Mr. Malin.

**(6) Expenses Incurred for Travel and Conference Reservations Not Used - Kayla Jones \$2,505.29**Introduction

CLA Reviewed expenses incurred by each Council Member to identify instances where an expense was made for airfare, reservations, conference registration that was not ultimately used and for which no credit was obtained for the City.

City Policy

The City's *Expense and Used of Public Resources* policy specifies that the City takes its stewardship over the use of its limited public resources seriously. However, the policy does not address what should be done when travel plans have to be cancelled or changed due to an emergency or sudden illness.

Condition

CLA identified nine expense items that Council Member Jones incurred related to planned travel that she ultimately did not use, and for which no corresponding credit was reflected in her CAL-Card statement. Ms. Hodgson signed in approval for payment for Council Member Jones' CAL-Card *Cardholder Activity Statements* for March 2018 through June 2018. After June 2018, Ms. Hodgson refused to sign the *Cardholder Activity Statements*, because Council Member Jones was not providing receipts, but directed the finance department to make the payments, as otherwise all of the City CAL-Cards would be disabled for lack of payment. Table 16 lists the planned travel instances and the related expenses incurred by Council Member Jones that went unused.

**Table 16: Expenses Incurred for Travel and Conference Registration Not Used**

| Planned Travel Instance                | Car Rental | Airfare | Hotel  | Registration | Total             | Reference |
|----------------------------------------|------------|---------|--------|--------------|-------------------|-----------|
| Anaheim, California, April 2018        | \$ 117.00  | \$ -    | \$ -   | \$ -         | \$ 117.00         | 1)        |
| Little Rock, Arkansas, May 2018        | -          | 902.60  | -      | 735.80       | 1,638.40          | 2)        |
| Seattle, Washington, July 2018         | -          | 128.20  |        |              | 128.20            | 3)        |
| Long Beach, California, September 2018 |            | 379.40  | 242.29 |              | 621.69            | 4)        |
| Total                                  |            |         |        |              | <u>\$2,505.29</u> |           |

Each of the four travel instances and the related costs are described below.<sup>77</sup>

1) Anaheim, California, April 2018: \$117.00*Car Rental \$117.00*

On April 11, 2018, Council Member Jones incurred on her City-issued CAL-Card a charge of \$117.00 from car rental agency Hertz for a car rental reservation under her husband's

<sup>77</sup> The amounts listed in the table include only the amounts for which an expense was incurred but the related travel, registration, or reservation was not used and no credit was issued to the City.

name, Ryan Gibson. The car was to be picked up on Tuesday, April 24, 2018.<sup>78</sup> According to Council Member Jones, although she had intended for her husband to pick up the rented vehicle, it was never used. She was unable to retrieve the vehicle because she was under 25 years old at the time, and Hertz would not rent vehicles to individuals under 25 years old. According to Council Member Jones, she was unable to obtain a credit for the reservation, and she and her family ultimately drove their personal vehicle to Anaheim, California. Ms. Hodgson recalled that Council Member Jones communicated to her via email the fact the vehicle could not be retrieved and that the reservation did not allow for refunds. Exhibit 47 contains the support and email communication related to this expense.

2) Little Rock, Arkansas, May 2018: \$1,638.40

*Registration \$735.80; Airfare \$902.60*

On May 15, 2018, Council Member Jones incurred a charge on her CAL-Card of \$735.80 paid to "ELB NLC University." Council Member Jones did not provide the City with a receipt for this expense. However, she stated that this charge was for her to attend the NLC University conference held on June 26, 2018, to June 28, 2018 and provided CLA with the link to the conference itinerary. There were also two United Airlines airfare charges: \$368.80 for a flight from San Jose, California to Little Rock, Arkansas on June 25, 2018, and \$533.80 from Little Rock, Arkansas to San Jose, California on June 29, 2018.

Council Member Jones stated that she was unable to attend the conference due to health reasons. She provided an email with the cancellation confirmation for the flight from San Jose, California, to Little Rock, Arkansas only. The cancellation email stated that the value of her ticket could be applied to future travel with United Airlines. This credit resides under Council Member Jones' name with United Airlines. She did not provide the cancellation details for the flight from Little Rock, Arkansas to San Jose, California. No refund was reflected on the CAL-Card statement for the conference registration fee or for either one of the one-way airfare tickets. Exhibit 48 contains the available support for these expenses.

3) Seattle, Washington, July 2018: \$128.20

On April 18, 2018, Council Member Jones booked her flight from San Jose to Seattle for July 25, 2018, with Alaska Air as reflected in a charge to her CAL-Card of \$103.20 for airfare and \$25.00 for a bag check-in fee (Exhibit 49 contains the flight itinerary). However, she did not use this flight, as she booked a separate flight to go directly from Hawaii to Seattle. CLA identified one email Council Member Jones forwarded to Ms. Hodgson detailing a \$25.00 credit certificate from Alaska Airlines for the bag check-in fee; however, this credit was issued to Council Member Jones' name and not refunded

---

<sup>78</sup> Council Member Jones attended the 2018 Women's Conference that took place at the Disneyland Resort in Anaheim, California on April 26, 2018, and April 27, 2018.

to the CAL-Card. Additionally, CLA did not identify an email documenting a credit for the \$103.20 flight, and a credit for this flight did not appear on the CAL-Card statement.

4) Long Beach, California, September 2018: \$621.69

*Airbnb \$242.29; Airfare \$379.40*

On September 5, 2018, Council Member Jones booked an Airbnb stay in Long Beach, California from September 12, 2018, to September 14, 2018.<sup>79</sup> She stated that this booking was for her to attend the League of California Cities conference for those dates. However, according to Council Member Jones, she did not attend this conference because it was recommended to her that she not attend (she did not mention who recommended that she not attend).<sup>80</sup> The cost for this booking was \$242.29. Exhibit 50 contains the CAL-Card statement, the Airbnb receipt.

On September 5, 2018, Council Member Jones booked a flight for travel from San Jose, California to Long Beach, California for a departure date of September 14, 2018, and a return date of September 17, 2018. The cost for this travel was \$203.40. These travel dates do not coincide with the conference dates of September 12, 2018 to September 14, 2018 or the Airbnb reservation. Then on September 11, 2018, Council Member Jones changed the departure to September 12, 2018 at 6:28 p.m. and the return date to September 14, 2018 at 4:34 p.m. The change to the itinerary incurred an additional cost of \$176.00 (refer to Exhibit 50). The total cost related to the original booking and the updated departure and return dates was \$379.40. Again, Council Member Jones stated that she did not attend this conference.

CLA identified the itinerary for the League of California Cities conference held in Long Beach, California from September 12, 2018 at 9:00 a.m. to September 14, 2018 at 2:30 p.m. Based on the change to the flight from San Jose, California to Long Beach, California to depart on September 12, 2018 at 6:28 p.m., if Council Member Jones planned to attend, she was in fact planning to attend a day late. Furthermore, CLA did not identify that a payment was made to register for the conference.<sup>81</sup>

---

<sup>79</sup> Airbnb provides lodging accommodations that are considered homestays. These homestays can be used as an alternative to a hotel stay.

<sup>80</sup> CLA asked Mr. Malin if he had advised Council Member Jones not to attend this conference. He stated that the last conversation he had with Council Member Jones about this was on September 11, 2018, when Council Member Jones texted him at 3:24 p.m. and told him she would attend. Based on the text message, it was Mr. Malin's understanding that Council Member Jones planned to attend this conference.

<sup>81</sup> It is possible that Council Member Jones intended to register for the conference once she arrived there. However, CLA was not provided with any evidence that she had registered in advance. For example, Mayor Pro Tem Alexander attended this conference. He obtained a check from the City prepared on September 7, 2018, payable to the League of California Cities. He used this check to pay at the door.



### Conclusion

Council Member Jones caused the City to incur charges of \$2,505.29 for reservations and bookings that she ultimately did not use. She provided explanations to CLA as to the reasons for not collecting the reserved vehicle and not attending the conferences. However, it appears to CLA that Council Member Jones did not take her stewardship of limited City funds seriously, which resulted in wasteful spending by the City. Additionally, it appears that Council Member Jones was not careful when making her flight reservation for the Long Beach, California trip in September 2018, as the departure and return dates did not correspond to the dates of the conference or her Airbnb reservation. She incurred additional last-minute airfare costs to revise the dates of travel just one day before the new departure date, but ultimately did not take this trip. Again, this represents wasteful spending of City funds by Council Member Jones.

- (7) No Receipts Provided for Expenses: CAL-Card of Council Member Jones - \$2,324.33; CAL-Card of Ms. Salcedo includes costs for Mayor Rubio - \$499.00; and Mayor Pro Tem Alexander - \$263.35**

### Introduction

CLA reviewed transactions for Council Member travel expenses and identified those for which no receipts were provided to support the expense. This section includes only those transactions for which a receipt was not provided and there were no other findings aside from a receipt not being provided.

### City Policy

The City's *Expense and Use of Public Resources* policy requires that officials submit their expenses (on an expense report form provided by the City) within ten business days of an expense being incurred, accompanied by receipts documenting each expense. "Inability to provide such documentation in a timely fashion may result in the expense being borne by the official."

The *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, requires that "for each charge, proper supporting documentation (original invoices or receipts and with charge card receipts) should be attached" in order to process payments.

### Condition

CLA identified 59 transactions that were charged to a City-issued CAL-Card for which a corresponding receipt was not turned in to the City and was not provided to CLA when requested from the Council Member.<sup>82</sup> These transactions consist of 55 transactions charged to

---

<sup>82</sup> This finding includes only those transactions for which a receipt was not provided and there were no other findings aside from a receipt not being provided. For example, Council Member Jones did not provide the receipt for the registration charge of \$735.80 paid to "ELB NLC University," which was discussed in the previous finding. Although she did not provide the receipt, the charge is not included in this finding to avoid double counting any expenses.

the CAL-Card of Council Member Jones totaling \$2,324.33 and four transactions charged to the CAL-Card of Ms. Salcedo totaling \$762.35 as detailed below:

1) CAL-Card of Council Member Jones

Council Member Jones incurred 149 transactions on her City-issued CAL-Card for the period under review. As a CAL-Card user, Council Member Jones is responsible for ensuring that the CAL-Card is used for official City use only, and for submitting adequate supporting documentation for all charges made to her City-issued CAL-Card. Ms. Hodgson signed in approval for payment for the CAL-Card *Cardholder Activity Statements* for March 2018 through June 2018. After June 2018, Ms. Hodgson refused to sign the *Cardholder Activity Statements*, because Council Member Jones was not providing receipts, but directed the finance department to make the payment, as otherwise all of the City CAL-Cards would be disabled for lack of payment.

*Council Member Jones – No Receipts Provided - \$2,324.33*

CLA identified 55 transactions totaling \$2,324.33 charged to the CAL-Card of Council Member Jones for which she has not submitted to the City or CLA a receipt to support the expense.<sup>83</sup> Exhibit 51 includes a listing of these transactions and the related CAL-Card statements. Based on the description included on the Card Holder Activity statement received from US Bank, CLA assigned categories to these charges based on the merchant name associated with each transaction. Table 17 lists the categories for which Council Member Jones did not provide a receipt to the City or CLA.

**Table 17: Expense Categories for Which No Receipts Were Provided**

| Category     | 2017/18     | 2018/19   | Total       |
|--------------|-------------|-----------|-------------|
| Airfare      | \$ 991.60   | \$ 5.00   | \$ 996.60   |
| Meals        | 76.57       | 279.38    | 355.95      |
| Registration | 350.00      | -         | 350.00      |
| Taxi         | 77.00       | 390.07    | 467.07      |
| Unknown      | 30.37       | 124.34    | 154.71      |
| Total        | \$ 1,525.54 | \$ 798.79 | \$ 2,324.33 |

*Council Member Jones – No Receipts Provided and No Business Purpose Communicated - \$215.44*

CLA was able to determine a business purpose for 43 of the 55 transactions identified above based on Council Member Jones' statements and CLA's research.<sup>84</sup> For the

<sup>83</sup> Although Council Member Jones did not submit to the City multiple receipts for hotel charges incurred on her City-issued CAL-Card, the City was able to obtain these receipts directly from the hotels. Hotel receipts for which a receipt was obtained directly by the City are not included as part of this finding. Council Member Jones referred CLA to her City emails to Ms. Hodgson. Gary Bartlett, IT Manager for the City, provided CLA with these emails. CLA reviewed the emails to identify any receipts Council Member Jones may have sent via email to Ms. Hodgson, to ensure that all of the receipts she had provided to Ms. Hodgson were considered in our testing.

<sup>84</sup> For example, in some of the emails that Council Member Jones sent to Ms. Hodgson, she communicated the purpose of an upcoming trip.

remaining twelve transactions, totaling \$215.44, Council Member Jones did not provide CLA with a business purpose that would have required her to incur the expense on her City-issued CAL-Card. These included known merchants such as Uber and Lyft for which the purpose of the ride was not communicated to the City or CLA. Also included are other merchant charges that appear to be of a personal nature such as Go Go air (inflight internet services), Hidden Treasure Hawaii (souvenir store in Hawaii), Mariam (unknown), and Tiare Enterprises (souvenir store in Hawaii). Exhibit 52 includes a listing of these expenses.

#### *Results of Interviews*

##### ***Kayla Jones***

Council Member Jones stated that along with her CAL-Card she received a form to sign, but nothing that communicated limits on meals for example. She also stated that she recalled a conversation with Ms. Hodgson who told her that if she ever could not find a receipt, to email Ms. Hodgson to let her know the purpose of the expense. CLA asked whether there was a specific process to turn in receipts at the end of the month. Council Member Jones stated, "No. Just whatever receipts I have 'turn in please.'"

CLA communicated to Council Member Jones that in the first months after she received her CAL-Card it seemed that she was turning in a majority of her receipts, but after April/May, receipts were no longer being turned in. CLA asked if there was a particular reason why she stopped turning in receipts. Council Member Jones stated that there was no reason and she had not realized that there was a period when she stopped turning in receipts. She added, "I guess I just got really busy."

##### ***Craig Malin***

Mr. Malin communicated that he, Ms. Hodgson, and Ms. Greathouse asked Council Member Jones for the outstanding receipts, and Council Member Jones would respond in some manner.<sup>85</sup> He then would hear that Council Member Jones had most of the receipts or she was working on obtaining the receipts, and, occasionally, she would turn in a receipt.

##### ***Daphne Hodgson***

Ms. Hodgson indicated that the *Purchasing Card Use Agreement* that Council Member Jones signed indicated that timely support was necessary. Ms. Hodgson requested outstanding receipts from Council Member Jones multiple times. CLA asked Ms. Hodgson why she approved the CAL-Card statements for payment for the months of May 2018 and June 2018, when Council Member Jones had not provided the City with any related receipts. Ms. Hodgson stated that she had signed her approval of the March

---

<sup>85</sup> The manner of the responses may have included an email saying that Council Member Jones would come in to the City hall to bring the receipts to Ms. Hodgson, for example.

2018 and April 2018 CAL-Card holder activity statements because most of the receipts were turned in. By the May 2018 and June 2018 months, Council Member Jones was not turning in receipts. Ms. Hodgson still approved the statements for payment to ensure the functionality of all the City-issued CAL-Cards. According to Ms. Hodgson, nonpayment of any amount would result in all CAL-Cards being suspended. After the month of June 2018, Ms. Hodgson refused to sign any further CAL-Card holder activity statements because, at that point, it became clear that Council Member Jones was not turning in any receipts.

#### *Requests for Outstanding Receipts*

- Requested by Ms. Hodgson: CLA identified two email communications in which Ms. Hodgson requested receipts from Council Member Jones. Exhibit 53 includes these emails which are dated May 1, 2018, and July 16, 2018. Also included is an email dated August 16, 2018 in which Council Member Jones mentioned to Ms. Hodgson that she would drop off “everything” to Ms. Hodgson on August 30, 2018 or in the first week of September 2018.
- Requested by Ms. Greathouse: Ms. Greathouse emailed Council Member Jones on October 19, 2018, stating that documents had been placed in the mailbox for Council Member Jones on September 17, and October 5, and Council Member Jones had not yet retrieved them. Ms. Greathouse scanned and attached these documents to the email. The attached documents included a memorandum dated October 5, 2018, requesting the outstanding receipts. A copy of the August 2018 and September 2018 *Cardholder Activity Statements* were also included. Exhibit 54 includes this email and attachments.
- Requested by Mr. Freeman: In preparation for the interview with CLA on November 8, 2018, Mr. Freeman directed Council Member Jones to turn in the outstanding receipts. Refer to Exhibit 07, which includes a letter sent to her by Mr. Freeman requesting the outstanding receipts. Council Member Jones did not agree to an interview on November 8, 2018, therefore, it was rescheduled for November 28, 2018. Exhibit 55 includes an email from Ms. Greathouse informing CLA that Council Member Jones would attend the November 28, 2018 interview by phone. Council Member Jones did not attend this interview in person and did not turn in the outstanding receipts.
- Requested by CLA: During Council Member Jones’ phone interview on November 28, 2018, CLA requested that Council Member Jones provide directly to CLA the outstanding receipts and sent her via email a listing of the outstanding receipts. Exhibit 56 includes the listing of outstanding receipts CLA sent to Council Member Jones. CLA requested that Council Member Jones provide the receipts to CLA by Tuesday December 4, 2018. On Monday December 3, 2018, Council Member Jones emailed CLA and stated she needed more time to be able to provide receipts. CLA communicated to Council Member Jones that she could submit the outstanding receipts to CLA no later

than Friday December 7, 2018. Council Member Jones did not provide CLA with any receipts as requested by December 7, 2018.

- Requested by CLA: As Council Member Jones did not provide CLA with any receipts by December 7, 2018, CLA communicated with Mr. Coniglio that Council Member Jones could provide CLA with outstanding receipts in advance of the follow-up interview rescheduled, as requested by Mr. Coniglio, for December 11, 2018. During this follow-up phone interview, Council Member Jones provided CLA with some receipts. CLA again asked that Council Member Jones provide CLA with additional receipts she may be able to locate, especially for Uber and Lyft payments as she could retrieve those from her Uber and Lyft account history through her phone. CLA requested that Council Member Jones provide any receipts she could locate by December 13, 2018. Mr. Coniglio contacted Mr. Freeman stating that Council Member Jones would be unable to provide any further documents on December 13, 2018, because she was having a medical procedure on this day and requested that she be allowed until Friday, December 14, 2018 to attempt to provide the requested receipts. Mr. Freeman agreed and directed CLA to include in its review any documents and receipts received from Council Member Jones through the end of the day on December 14, 2018. The results of CLA's review includes documents and communications received from Council Member Jones through December 14, 2018.

## 2) CAL-Card of Ms. Salcedo

As the Executive Assistant to the City Manager, Rosa Salcedo, possessed a CAL-Card, which was used to pay for Council Member related expenses, such as registration for events and conferences, and travel arrangements. There were 117 transactions related to Council Members recorded to this CAL-Card for the period under review. According to the interviews conducted, Council Members communicate a particular request, such as registering for a conference, to Ms. Salcedo who then fulfills the request using her City-issued CAL-Card. As a CAL-Card user, Ms. Salcedo is responsible for ensuring that the CAL-Card is used for official City use only and submitting adequate supporting documentation for all charges made.

### *Mayor Rubio - \$499.00*

Three charges were made to the CAL-Card of Ms. Salcedo totaling \$499.00 for registration to three separate events in 2015/16 that did not contain receipts for the transactions. The prior City Manager approved for payment the *Cardholder Activity Statement* where the two of the charges were listed. Mr. Malin approved for payment the *Cardholder Activity Statement* where one of the charges was listed. A memorandum from Ms. Salcedo to the Finance Department was included as support for two of these expenses. The memorandum explained that she had not received the receipts from the venue, had requested them, and was awaiting receipts. The other transaction without a receipt included as support an email from Mayor Rubio with the details of the event and asking, "did we rsvp to this?" Ms. Salcedo's response was, "yes." Exhibit 57 contains the schedule of the transactions and the support received for these three transactions.

*Mayor Pro Tem Alexander - \$263.35*

A charge was made on the CAL-Card for Ms. Salcedo for one transaction of \$263.35 paid to Expedia.com on July 11, 2015. The description entered in the general ledger indicated the cost was for hotel charges for a legislative conference in Sacramento, California. However, there was no receipt included for the expense, and there was no conference agenda or description included as support for the expense (Exhibit 58). The prior City Manager approved for payment the *Cardholder Activity Statement* where the charge was listed.

Conclusion

Although Council Member Jones was not provided with a specific form to complete to turn in her receipts as prescribed by the purchasing card guidelines, it is CLA's conclusion, based on documents and emails reviewed, that she was informed of the requirement to turn in receipts for all of the charges incurred on her City-issued CAL-Card. The City appears to have requested the outstanding receipts on multiple occasions to no avail. Additionally, CLA also requested these outstanding receipts from Council Member Jones, and she provided certain receipts which were incorporated in this review; however, multiple receipts were not provided.

Her failure to turn in receipts for charges incurred on her City-issued CAL-Card is in violation of the City *Expense and Use of Public Resources* policy that states, "Officials must submit their expense reports within 10 business days of an expense being incurred, accompanied by receipts documenting each expense. Inability to provide such documentation in a timely fashion may result in the expense being borne by the official." The *Purchasing Cardholder Use Agreement* signed by Council Member Jones on March 1, 2018, requires that "for each charge, proper supporting documentation (original invoices or receipts and with charge card receipts) should be attached" in order to process payments. The receipts Council Member Jones did not provide to the City or CLA equal \$2,324.33. Finding Number (7) identifies expenses charged to a CAL-Card for which no receipt was received by the City

Additionally, for twelve of the transactions, totaling \$215.44, Council Member Jones did not provide CLA with a business purpose that would have required her to incur that expense on her City-issued CAL-Card, and a business purpose was not apparent from the information available to CLA on the CAL-Card statements. This is identified as Finding Number (7.1).

The four instances for which charges were made to the CAL-Card of Ms. Salcedo for Mayor Rubio (\$499.00) and Mayor Pro Tem Alexander (\$263.35), and the original receipt was not attached, did not follow the standard process for payments. As the Cardholder, Ms. Salcedo is responsible for ensuring that for each charge, proper supporting documentation that includes original invoices or receipts are attached to the monthly CAL-Card *Card Holder Activity Statement* and *Statement of Account Form*. Although the original receipts were not provided to CLA for these expenses, some documentation existed to support the business purpose. These expenses were not incurred for the benefit of Ms. Salcedo and she attached the documentation that was available to her. Additionally, these seemed to be isolated instances as the majority of the charges incurred on Ms. Salcedo's CAL-Card were supported by sufficient receipts.

Nonetheless, the CAL-Card charges for Mayor Rubio and Mayor Pro Tem Alexander that do not have original receipts are also identified as Finding Number (7).

**(8) No Reimbursement to City for Guest Expense – Alexander \$150.00; Rubio \$800.00**

Introduction

As part of their official capacity, Council Members may attend events for which the City bears the cost of admission. In certain occasions, the admission fee for a guest of the City official is purchased by the City at the time the cost of admission is paid with the expectation that the City official will reimburse the City for the admission cost of his/her guest. If the admission fee for a guest was originally paid by the City, CLA reviewed the supporting documentation to determine whether the Council Member for whom the expense was incurred refunded the City for the portion of the cost related to the admission fees of guests.

City Policy

Per the City's *Expense and Use of Public Resources*, policy Section II. *Authorized Expenses*, an example of personal expenses that the City will not reimburse includes, but is not limited to, family expenses, including partner's expenses when accompanying an official on agency-related business.

Condition

CLA identified eight transactions charged to the CAL-Card of Ms. Salcedo and two transactions made via direct payment to a vendor that were for the purchase of two tickets each as explained below.

- *Mayor Rubio - \$800.00*

Nineteen purchases were made for event registrations where two tickets were purchased for each event (one for Mayor Rubio and one for his wife) and Mayor Rubio requested to make the repayment via a stipend deduction. For eight of these purchases, the amount related to his guest (wife) was not been reimbursed to the City through a stipend deduction. The support for these transactions include memorandums from Mayor Rubio requesting that the amount for his guest be deducted from his City stipend. Ms. Hodgson communicated to CLA that Mayor Rubio requested that when a ticket was purchased for his wife, the corresponding amount be deducted from his monthly stipend in order to comply with the City policy. CLA reviewed the deductions made to Mayor Rubio's stipend and identified deductions made for eleven of the transactions. Although requested by Mayor Rubio, the remaining eight deductions to his stipend totaling \$800.00 were not made, which appears to be an oversight by the finance department. Exhibit 59 contains the support for these payments and the requests for deductions.<sup>86</sup> Exhibit 59 includes a reconciliation of the outstanding

---

<sup>86</sup> The Exhibit also lists who approved the related *Cardholder Activity Statements* where these payments were incurred.



amounts (not yet reimbursed to the City) and an accounting system report listing Mayor Rubio's stipend payments and the corresponding deductions. The total amount outstanding is \$800.00. Mayor Rubio reimbursed the City on January 15, 2019, the questioned amount of \$800.00 that was not deducted from his stipend as he had previously requested.<sup>87</sup> CLA verified that the City received this payment. Exhibit 60 contains a copy of the check.

- *Mayor Pro Tem Alexander - \$150.00*

On September 25, 2017, two tickets totaling \$300.00 were purchased for Mayor Pro Tem Alexander and his wife to attend a Salvation Army event. Mr. Malin approved the *Cardholder Activity Statement* where this charge was included. There is no evidence that the guest's amount was reimbursed to the City (Exhibit 61). The total amount not reimbursed to the City is \$150.00. Mayor Pro Tem Alexander reimbursed the City on January 15, 2019, the questioned amount of \$150.00.<sup>88</sup> CLA verified that the City received the payment. Exhibit 62 contains a copy of the check.

### Conclusion

The City incurred charges totaling \$800.00 related to Mayor Rubio's guest and \$150.00 related to Mayor Pro Tem Alexander's guest that were not repaid to the City. This was in violation of the City's *Expense and Use of Public Resources* policy, which provides that guest's expenses when accompanying an official on agency-related business is considered a personal expense for which the City will not bear the cost. Both Mayor Rubio and Mayor Pro Tem Alexander reimbursed the City for these amounts on January 15, 2019 and on January 16, 2019, respectively.

## **(9) Unallowed Expense – Payment to a Political Action Committee – Council Member Jones \$159.24**

### Introduction

As part of their official capacity, Council Members may attend events for which the City bears the cost of admission. These events may include luncheons and other events at which meals are provided. CLA reviewed the support for the events attended by Council Member at a cost to the City and conducted research for those that appeared to be of a political nature.

---

<sup>87</sup> The check from Mayor Rubio was for \$1,660.20 and included the \$860.20 related to out-of-state travel not approved by the City Council at an open meeting as detailed in Finding Number (3), and \$800.00 in payment for guest expenses as detailed in Finding Number (8). The calculation is as follows: \$860.20 + \$800.00 = \$1,660.20.

<sup>88</sup> Mayor Pro Tem Alexander paid the City for the \$76.90 from expenses the exceeded the City Policy limits and for \$150.00 for guest expense previously not reimbursed to the City as detailed in Finding Number (8). The total was \$76.90 + \$150.00 = \$226.90; However, Mayor Pro Tem paid with a check totaling \$227.00 as he rounded to the nearest dollar.



City Policy

The City's *Expense and Use of Public Resources* policy, Section II. *Authorized Expenses*, states that an example of personal expenses that the City will not reimburse includes, but is not limited to, political or charitable contributions or events.

Condition

On September 11, 2017, a \$159.24 ticket was purchased with the CAL-Card of Ms. Salcedo for Council Member Jones to attend the Bay Area Municipal Elections Committee (BAYMEC) gala brunch on October 1, 2017. According to the results of research conducted by CLA, the BAYMEC describes itself as a four-county lesbian, gay, bisexual, and transgender Political Action Committee. Mr. Malin approved the *Cardholder Activity Statement* where this payment was incurred. Exhibit 63 includes the CAL-Card statement and information for the BAYMEC payment and information about BAYMEC. When CLA asked Council Member Jones about this event, she stated that she was unaware that the BAYMEC was a Political Action Committee until approximately two months ago when BAYMEC donated to her campaign.<sup>89</sup>

Conclusion

The \$159.24 payment made to BAYMEC for Council Member Jones to attend a gala brunch on October 1, 2017, represents a payment for a political event. This payment is a violation of the City's *Expense and Use of Public Resources* policy, which states that political events are not an allowed expense.

**(10) Unallowed Expense – Payments for Gasoline – Council Member Jones - \$93.27**Introduction

CLA reviewed the Council Member expenses to identify payments for expenses specifically not allowed per the City policy, such as payments for gasoline for a personal vehicle of a Council Member.

City Policy

The City's *Expense and Use of Public Resources* policy states that an example of a personal expense that the City will not reimburse includes, non-mileage personal automobile expenses including repairs, traffic citations, insurance, or gasoline.

Condition

Council Member Jones traveled to Anaheim, California in April 2018 for the 2018 Women's Conference. For this conference, she elected to drive her personal vehicle. CLA identified three charges made to Council Member Jones' City-issued CAL-Card on April 26, 2018, and April 29,

---

<sup>89</sup> Council Member Jones was referring to her campaign for the November 2017 elections when she was a candidate for City Mayor.

2018, that appeared to have been made at gas stations. Council Member Jones has not provided the receipts for these charges; however, the name of the merchant listed on her CAL-Card statement conveys a gas station. The total amount for these charges is \$93.27. Ms. Hodgson approved the *Cardholder Activity Statement* where these charges were incurred. Council Member Jones communicated to CLA that she understood that purchasing gasoline was an appropriate expense as it was related to travel for attending a conference. Exhibit 64 includes the CAL-Card statement on which these charges are reflected.

#### Conclusion

The \$93.27 charges to the CAL-Card of Council Member Jones were made in violation of the City's *Expense and Use of Public Resources* policy that disallows non-mileage personal automobile expenses, including gasoline.

### **(11) Unallowed Expense – Insurance – Council Member Jones - \$94.88; Mayor Pro Tem Alexander - \$53.50; Mayor Rubio - \$18.00**

#### Introduction

When making airfare travel arrangements, an option to purchase travel insurance is offered. CLA identified the instances where payments for travel insurance were made.

#### City Policy

The City's *Expense and Use of Public Resources* policy does not address whether travel insurance is an allowed expense by the City. However, Ms. Hodgson communicated to CLA that, as a verbally communicated policy, the City does not allow for purchases of travel insurance.

#### Condition

CLA identified a total of \$94.88 for Council Member Jones, \$53.50 for Mayor Pro Tem Alexander, and \$18.00 for Mayor Rubio charged to a City CAL-Card for travel insurance.<sup>90</sup> Exhibit 65 contains the support for these purchases and denotes the individual approving the *Cardholder Activity Statement* where these charges were reflected.

---

<sup>90</sup> The \$18.00 identified for travel insurance purchased for Mayor Rubio relates to his one instance of out-of-state travel and is included in the total cost of \$860.20 identified with Finding Number (3). For Council Member Jones, \$21.88 of the \$94.88 identified for travel insurance purchased relates to one of her out-of-state travel instances and is included in the total cost of \$15,262.42 identified in Finding Number (3).

*Results of Interview – Kayla Jones*

Council Member Jones stated that she had purchased insurance one time, which resulted in Ms. Hodgson informing her that she should not purchase travel insurance. Council Member Jones stated that after Ms. Hodgson told her not to, she did not purchase travel insurance again.<sup>91</sup>

Conclusion

CLA does not identify the purchase of travel insurance as a violation of City Policy because CLA was not provided with a written policy that indicates travel insurance is not allowed. However, CLA has assigned Finding Number **(11)** to purchases of travel insurance as this is a verbally communicated City policy that should be documented in the *Expense and Use of Public Resources* policy.

**(12) Itemized Receipts Not Provided for Restaurant Charges - Council Member Jones \$34.41; Mayor Pro Tem Alexander \$208.12**

Introduction

While traveling, Council Members are allowed to purchase meals and be reimbursed by the City (or use a City-issued CAL-Card) except for when the cost paid for the conference or event registration includes meals. CLA reviewed the receipts included as support for meals and identified those that were not itemized.

City Policy

The City's *Expense and Use of Public Resources* policy *Section V* requires that restaurant receipts detailed with actual items purchased be part of the documentation that must be turned into the City. The purpose of requiring an itemized receipt is to ensure the meal expense complied with City policies, such as, no alcohol was purchased and/or the meal purchased was only for the City employee and not additional people.

Condition

Council Member Jones incurred a meal expense of \$34.41 on her hotel receipt for September 15, 2017, which was charged to the CAL-Card of Ms. Salcedo. Council Member Jones did not provide the hotel receipt to the City or CLA; however, the City obtained the receipt directly from the hotel (Exhibit 66 contains this hotel receipt). The itemized receipt pertaining to this meal expense was not provided by Council Member Jones.<sup>92</sup> Mr. Malin signed in approval of payment for the *Cardholder Activity Statement* on which the charges from the hotel were included.

---

<sup>91</sup> This statement was factually incorrect as there were three separate purchases of travel insurance charged to her CAL-Card for a total of \$94.88.

<sup>92</sup> Council member Jones did not provide the city with many receipts for charges made to her Cal-Card. The City obtained hotel receipts directly from the hotels, which included the cost of meals charged to the room; however, itemized meal receipts were not provided. Meal costs included in this finding are only those meals that did not

Seven meal expenses for which Mayor Pro Tem Alexander requested an expense reimbursement, although accompanied by a credit card receipt or a print out of his personal credit card charges, did not include a detailed receipt listing the actual items purchased. The total of these transactions is \$208.12. Two meals were included on an expense reimbursement dated September 30, 2015, that was approved by then City Manager, John Dunn. The five other meals were included in an expense reimbursement from September 2017, which consisted of a copy of his personal credit card statement. An expense reimbursement form was not used, thus there was no approval signature evident (Exhibit 67 includes the related support).

### Conclusion

The support submitted for one meal expense of \$34.41 for Council Member Jones, and for seven meal expenses totaling \$208.12 for Mayor Pro Tem Alexander did not contain a restaurant receipt detailed with the actual items purchased. This lack of detailed (itemized) restaurant receipts is not compliant with the City's *Expense and Use of Public Resources* policy.

## **d) Council Member Travel Expenses – Internal Controls Deficiencies**

CLA identified certain practices that, although not a violation of City policy, represent internal control deficiencies. CLA provides below a description of the deficiency and assigns it a Finding Number denoted by a number included in parenthesis in red font. In *Section 9. Recommendations*, CLA provides recommendations for the City to consider implementing in order to strengthen the identified internal control deficiencies.

### **(13) Standard Expense Reimbursement Form Not Consistently Used**

#### Introduction

Council Members may request an expense reimbursement for expenses incurred in the performance of their official duties, such as attending an out of town conference. CLA identified the instances where an expense reimbursement was processed without the use of a standard expense reimbursement form.

#### City Policy

The City's *Expense and Use of Public Resources* policy states that within ten business days after returning from travel, the official must complete the *Travel Expense Report* and submit to the Department Head for review and approval of reimbursement.<sup>93</sup> It is important that a standard expense reimbursement form be used as it can:

---

have any other findings, such as meal costs that were not allowed because the meals were provided by the conference. To prevent double counting of any expenses, if a meal cost has multiple finding it is only included in one finding.

<sup>93</sup> Although the City policy refers to it as a *Travel Expense Report*, the forms included with the support provided to CLA, when a form was used, were titled "Travel Reimbursement" or "Travel Reconciliation – CAL-Card Used." These two forms were used to process expense reimbursement, when a form was used.

---

- Calculate the reimbursement rate for the number of miles
- Document the description of an event or the business purpose
- Document that a receipt is attached to the form to support each line item
- Provide an area for the requester to certify the accuracy of the expenses with a signature
- Provide an area to document approval of the reimbursement

#### Condition

From 29 individual expenses processed through expense reimbursements for the period under review, only nine were made using the standard *Travel Reimbursement* form and contained sufficient support in the form of itemized receipts and a complete description of the events. For example, four separate expense reimbursement payments were processed for Council Member Jones totaling \$265.41 for mileage. A standard *Travel Reimbursement* form was not completed, and the mileage reimbursement request consisted of an email or a note in which Council Member Jones stated the dates of travel and starting and ending location. Then, a handwritten note included the corresponding number of miles and total dollar amount (Exhibit 68 includes an example).

#### Conclusion

Although the City has created a standard *Travel Reimbursement* form, and a *Travel Reconciliation-CAL-Card Used* form, the forms are not consistently used to request an expense reimbursement and to record management approval of the expense report. This is an internal control deficiency, as important information may not be documented, such as the description of the event or authorization.

### **(14) Sufficient Information Was Not Included With Travel Expenses to Allow Easy Identification of the Business Purpose**

#### Introduction

Council Members may request an expense reimbursement for expenses incurred in the performance of their official duties, such as attending out of town conferences. In the performance of its work, CLA noted instances where sufficient information was not included with travel expenses to allow easy identification of the business purpose.

#### City Policy and Best Practices

The City's *Expense and Use of Public Resources* policy authorizes expenses incurred in connection with officials participating in regional, state, and national organizations whose activities affect the City's interest. The *Travel Reimbursement* form, which is used to request expense reimbursement includes a location to record the meeting/travel event and location.

Best business practices include providing sufficient documentation with an expense reimbursement request or expenses charged to a City-issued purchasing card to communicate a business purpose. For example, if an official submits an expense reimbursement, the details of the event attended should be documented by describing the name of the event/conference, including a copy of the flyer for the event and/or the event's itinerary. Including additional details and support related to the event allows the person approving the expense to easily determine the purpose of the travel and verify that the event supported the City's goals and complied with City policies.

#### Condition

For many of the expense reimbursements processed and costs incurred on the City-issued CAL-Cards, a flyer for the conference or an itinerary was not included. Using the descriptions entered into the accounting system, CLA conducted internet searches to locate the details of the event/conference. However, there was one expense reimbursement processed for Mayor Pro Tem Alexander that CLA was not able to identify the conference/event attended. This expense reimbursement request was processed upon submission of a *Travel Reimbursement* form.<sup>94</sup> This expense reimbursement request included four transactions totaling \$257.23 for mileage reimbursement, parking fees, and two meals for Council Member Alexander while attending a conference/event on July 12, 2015, in Sacramento, California. Although the expense reimbursement request was appropriately made by submitting a *Travel Reconciliation* form and receipts, it did not contain a description of the conference or the conference agenda. The section on the form that requires the "meeting/travel Event & Location" only stated "Sacramento." CLA is not suggesting that the event did not take place; however, for this one expense reimbursement to Mayor Pro Tem Alexander in July 2015, CLA was not able to verify the purpose of travel. Exhibit 69 contains the support received for these four transactions.

#### Conclusion

For many of the expenses paid for Council Member Travel Expenses, a copy of the event information and/or itinerary was not included. However, based on the description stated in the general ledger, CLA was able to obtain detailed information about the event via internet searches. Best practices call for event details to be retained as part of the support and for the event name and location to be documented on the *Travel Reimbursement* form.

### **(15) Support Was Not Retained for Reimbursements by Council Members to the City**

#### Introduction

As part of their official capacity, Council Members may attend events for which the city bears the cost of admission. On certain occasions, the admission fee for a guest of the City official is purchased by the City at the time the cost of admission is paid with the expectation that the

---

<sup>94</sup> Attached to the form were receipts and MapQuest travel directions from the point of departure to the conference/event location.

City official will reimburse the City for the admission cost of his/her guest. In the performance of its work, CLA identified instances where an entry was made to the general ledger to denote the payment by a Council Member to the City; however, no documentation was retained as support.

#### City Policy

Per the City's *Expense and Use of Public Resources*, policy Section II. *Authorized Expenses*, an example of personal expenses that the City will not reimburse includes, but is not limited to, family expenses, including partner's expenses when accompanying an official on agency-related business.

Sound accounting practices include retaining documentation related to expenses incurred to provide adequate support for the transaction. If those expenses are reduced by an entry to the general ledger, such as in the case of a Council Member reimbursing the City for a personal expense, supporting documentation for that adjustment should be retained.

#### Condition

CLA identified eleven adjustments recorded to the Council Members' travel expense accounts for expenses originally incurred by the City for which Council Members appear to have reimbursed the City. These adjustments abated (decreased) the original expense incurred by the City and related to unallowed expenses, such as contributions to political organizations (Monterrey Democratic Party) or purchases of event entry fees for the spouses of Council Members. In the documents originally provided to CLA, only one of these eleven adjustments included a copy of the receipt issued to the Council Member for the reimbursement the Council Member made to the City. CLA requested from the City copies of the receipts for the other ten adjustments. The City located and provided receipts and copies of the corresponding checks for two of the adjustments, only a copy of the receipt for one, and only a copy of the check for another. Therefore, CLA was able to verify that a payment was made to the City by a Council Member for four of the ten adjustments. For the other six adjustments, CLA did not receive any support evidencing that the payment was made to the City.<sup>95</sup> Exhibit 70 contains a listing of these adjustments made for which no support was received.

#### Conclusion

Based on the lack of attached support for expense adjustments made for Council Member travel expenses, it appears that the City does not typically retain the support associated with payments received from Council Members. Retaining adequate support for reimbursements paid to the City, including the source and reason for the reimbursement, is important for ensuring complete and accurate accounting records. Additionally, it allows the City to verify

---

<sup>95</sup> For purposes of testing Council Member expenses in other sections of this report, if a credit (decrease) was identified in a particular Council Member's travel expense account, CLA assumed that the credit (decrease) was due to a reimbursement paid by that Council Member to the City.

whether a Council Member or City employee reimbursed the City for a personal expense if a question is raised at a later date.

**(16) An Expense Adjustment (Abatement) Was Not Recorded for Reimbursements to the City by Council Members**

Introduction

As part of their official capacity, Council Members may attend events for which the City bears the cost of admission. On certain occasions, the admission fee for a guest of the City official is purchased by the City at the time the cost of admission is paid, with the expectation that the City official will reimburse the City for the admission cost of his/her guest. In the performance of its work, CLA identified instances where a Council Member reimbursed the City for the admission fee of a guest; however the reimbursement to the City was not properly recorded.

Appropriate Accounting Methods

Appropriate accounting methods prescribe that, for a refund or reimbursement received that reduces a previous expense recorded by the City, the amount of the refund must abate (decrease) the original expense to which the refund is associated. This accounting entry should be recorded by crediting (decreasing) the original expense account and debiting (increasing) cash.

Condition

CLA identified nine instances in which a stipend deduction was made for Mayor Rubio after the City had paid for event entry fees for his wife. These nine deductions were for the repayment of fifteen separate events for which the City had purchased an event ticket for Mayor Rubio's wife. Mayor Rubio requested that the entry fees for his wife be deducted from his stipend payment in order to reimburse the City for these personal expenses, and the City complied with his request. However, the Travel Expense account for Mayor Rubio was not adjusted to reflect the reimbursements to the City. As a result, his Travel Expense account was overstated by \$450.00 in 2016/17 and \$524.84 in 2017/18. Exhibit 71 contains a listing of the original expense and a listing of the stipend deductions that relate to these expenses.

Results of Interview – Daphne Hodgson

CLA inquired with Ms. Hodgson about the reason for the original expense not being adjusted after the City had deducted the appropriate amounts from the Mayor's stipend to pay for his wife's portion of the entrance fees for these fifteen events. Ms. Hodgson stated that this was an accounting oversight, the City had already identified it was an issue in the 2017/18 year, and the former Assistant Finance Director was supposed to record a journal entry to correct the issue. However, the Assistant Finance Director resigned a few months prior, and Ms. Hodgson was not aware that the journal entry had never been recorded.



Conclusion

CLA does not provide an opinion as to whether it was appropriate to execute a stipend deduction for the City to obtain reimbursement from Mayor Rubio for unallowed expenses originally incurred by the City. However, although the City received a reimbursement for these unallowed expenses, the Travel Expense account of Mayor Rubio did not reflect the reimbursements he made for fifteen transactions totaling \$450 in 2016/17 and \$524.84 in 2017/18.

## e) Family Care Reimbursements

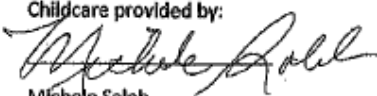
### Introduction

The only Council Member who utilized the established budget for 7176 – *Family Care – Council Members* was Council Member Jones. The process followed included Council Member Jones submitting a typed note that served as the *Family Care Reimbursement Request*. The City understood this note to contain information reflective of the payments Council Member Jones made for childcare of her daughter and for which she was seeking reimbursement. The typed notes listed a date, a description of the event, a total amount, and the name and signature of the individual providing the childcare. Figure 1 contains an example of this typed note.

**Figure 1: Example of Support Provided to the City for Family Care Reimbursement**

Kayla Jones

Childcare provided on:  
 July 25<sup>th</sup> thru July 30<sup>th</sup> Young Elected Officials National Convening (sponsored by People for the American Way): \$2,160

Childcare provided by:  
  
 Michele Saleh 7/30/18

Based on the content of these typed notes, the City processed expense reimbursement checks payable to Council Member Jones.

### California Government Code and City Policy

California Government Code § 36514.5 states, “Council Members may be reimbursed for actual and necessary expenses incurred in the performance of official duties.” Refer to Exhibit 31, which includes this section of the California Government Code.

The City’s *Expense and Use of Public Resources* policy Section III K allows for “Reimbursement for actual family care expenses incurred in the performance of official duties.”<sup>96</sup>

### Condition

Four different childcare providers were listed on the 20 *Family Care Reimbursement* requests submitted by Council Member Jones. There were 72 events listed in 20 requests for reimbursements, which included City Council meetings, attendance at speaking events, and attendance at conferences. Table 18 lists by fiscal year the names of the caregivers, the count of the events, and the related dollar amounts. Three of the 20 requests were approved by Mr. Malin, nine were approved by Ms. Hodgson, six had no approval signature, and two had a stamp in approval of

<sup>96</sup> This sentence comprises the entire policy related to the *Family Care Reimbursement* policy, and no additional instructions or guidelines were provided within this policy.

payment.<sup>97</sup> Exhibit 72 contains a listing of these payments made to Council Member Jones and includes the name of the person authorizing the payment. The exhibit also includes a copy of the City check used to pay Council Member Jones and the typed note she submitted to request the payment.

**Table 18: Payments to Council Member Jones for Family Care**

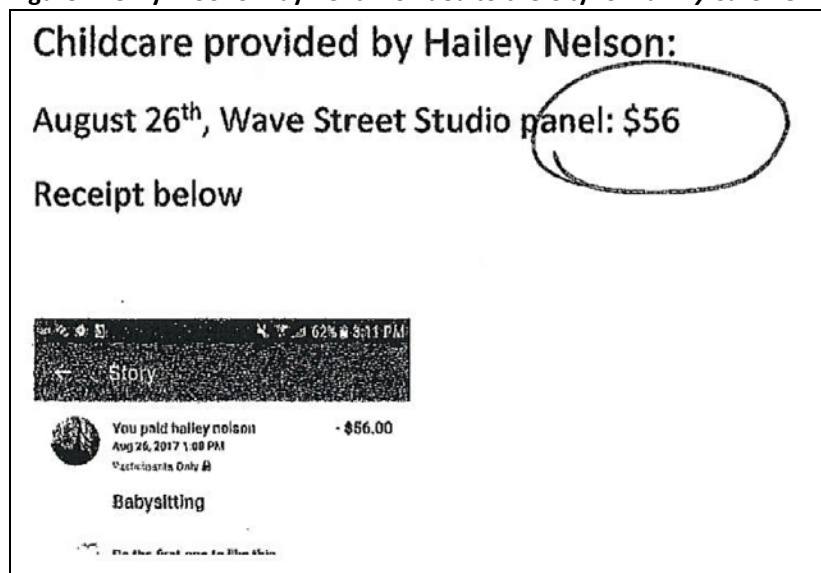
| Year          | 2017/18 |             | 2018/19 |             | Total |              |
|---------------|---------|-------------|---------|-------------|-------|--------------|
| Name          | Count   | Amount      | Count   | Amount      | Count | Amount       |
| Bree Jones    | 29      | \$ 3,449.00 | 13      | \$ 770.00   | 42    | \$ 3,439.00  |
| Dee Russo     | 0       | -           | 1       | 1,060.00    | 1     | 1,060.00     |
| Hailey Nelson | 1       | 56.00       | 0       | -           | 1     | 56.00        |
| Michele Saleh | 27      | 3,974.00    | 1       | 2,160.00    | 28    | 5,992.00     |
| Total         | 57      | \$ 7,479.00 | 15      | \$ 3,990.00 | 72    | \$ 11,469.00 |

CLA has identified three findings related to *Family Care Reimbursements* processed for Council Member Jones as detailed in Finding Numbers (17) – (19).

**(17) Unsupported and possibly false expense reimbursement requests - \$11,413.00:**

For only one *Family Care Reimbursement* of \$56.00, Council Member Jones provided the City with evidence that she actually incurred the cost as represented by her *Family Care Reimbursement* requests. The support included a screen shot from a payment application as presented on Figure 1. However, although an apparent proof of payment was included, the description of “Wave Street Studio panel” did not communicate how the expense related to her official duties as a Council Member.

**Figure 2: Only Proof of Payment Provided to the City for *Family Care Reimbursement* Request**



<sup>97</sup> The stamp denoted approval for payment and included a location where the following information was written in: amount, account code, and date. The stamp location for the signature had a hand-written note stating “see attached.” However, there was nothing else attached.

## Results of Interviews

### ***Craig Malin***

Mr. Malin stated that he had provided Council Member Jones with directions that she could submit “something simple” for her requests for *Family Care Reimbursements*. He stated that he and Ms. Hodgson referred back to the policy that stated it was to be for “actual family care expenses.” He believed that as long as the City received some sort of documentation, there was a signature, and it related to official duties, it was appropriate for the City to process the reimbursement.

Mr. Malin stated that the City Council approved the policy with the best of intentions. He communicated that the City Council discussed and approved the policy and one sentence described everything about that policy, “reimbursement for actual family care expenses incurred in the performance of official duties.” He further stated, “we administered . . . the policy consistent with the very limited parameters we were given.”<sup>98</sup> CLA asked Mr. Malin whether there was ever any discussion as to who could provide the care and whether it was appropriate for family members to provide the care. Mr. Malin stated that the policy does not give the staff the ability to tell a Council Member whom they can use as care providers.

### ***Kayla Jones – First Interview***

Council Member Jones stated that she had four childcare providers for her daughter.<sup>99</sup> She stated that Bree Jones, her mother, was one of the childcare providers and she paid her at the rate of \$15.00 an hour. Council Member Jones stated that she never used checks to pay her childcare providers. Instead, she paid her childcare providers in cash, money transfers, or using Venmo, a payment application (app).<sup>100</sup> Michele Saleh, she stated, is her grandmother; however, she was not “actually the childcare provider for the entire time, but she would manage it” while Council Member Jones was away. Council Member Jones stated that Ms. Saleh knew Ms. Russo, and Ms. Saleh would “sign Diana Russo’s receipts, which then [Council Member Jones] would turn in to the City.” Because Council Member Jones acknowledged that Ms. Saleh did not provide the actual childcare services herself, CLA asked Council Member Jones if she had actually paid Ms. Saleh for any of her services. Council Member Jones replied, “No. Just Diana Russo.”<sup>101</sup>

---

<sup>98</sup> During the introduction section of the interview with Mr. Malin, he stated that his responsibilities as a City Manager include implementing policies of the City Council.

<sup>99</sup> Council Member Jones stated that the childcare providers were the following: Ciara Williams, Bree Jones, Diana Russo, and Michele Saleh.

<sup>100</sup> Council Member Jones stated that Ciara Williams was the only childcare provider who used Venmo, as the other childcare providers were not “tech savvy.” Ciara Williams is not one of the childcare providers listed in the reimbursements requested by Council Member Jones.

<sup>101</sup> Diana Russo’s name was listed as “Dee Russo” on the *Family Care Reimbursement* requests Council Member Jones submitted.

Once the *Family Care Reimbursement* policy was approved, Council Member Jones requested a reimbursement for 24-hour care for all of her overnight trips, with the exception of the Anaheim, California trip because her husband and daughter traveled with her on this trip. CLA asked Council Member Jones whether there was ever discussion when the policy was established regarding requesting reimbursement for 24-hour care. She stated that no discussion had taken place. CLA asked why 24-hour care would be necessary and whether her husband could have provided any overnight care. Council Member Jones stated that her husband was not available to care for their daughter when she was away at conferences, and he was not available in the evenings or overnight. Therefore, her daughter required the 24-hour care to be provided by her childcare providers, and Council Member Jones requested a *Family Care Reimbursement* based on the 24-hour care.

CLA communicated to Council Member Jones that it was necessary to obtain from her evidence that she made the payments for childcare services she presented to the City in her requests for *Family Care Reimbursements*. CLA stated that proof of payment needed to be, for example, a screen shot of the Venmo transaction or wire transfer, or a bank withdrawal receipt to show that she had made a cash withdrawal to pay for childcare services.<sup>102</sup> Council Member Jones stated that she would attempt to provide the documentation requested.<sup>103</sup>

### ***Daphne Hodgson***

CLA inquired with Ms. Hodgson regarding whether the City required that the childcare be provided by a licensed childcare facility and whether Council Member Jones disclosed to the City that two of her family members were listed as the childcare providers on the *Family Care Reimbursement* requests. Ms. Hodgson indicated that those discussions never took place, and Council Member Jones never mentioned that family members were providing the care.

### **Results of Email Review**

CLA identified emails in which Council Member Jones inquired about the type of support she would need to provide in order to request an expense reimbursement for childcare. On June 12, 2018, Council Member Jones emailed Mr. Malin, “will I need to provide Daphne with receipts of childcare I've paid to babysitters for reimbursement during Council stuff or how will that work?” Mr. Malin responded that receipts are needed for all reimbursements and added that the receipt “can be a simple, handwritten note.” Exhibit 73 contains these email communications.

---

<sup>102</sup> CLA pointed out to Council Member Jones that, if she was paying the childcare providers in cash, many of the amounts she requested reimbursement for were quite large, and CLA expected that she would have had to make a cash withdrawal from her bank in order to have that amount of cash available.

<sup>103</sup> CLA sent Council Member Jones an email and included the reimbursement requests she submitted to the City for *Family Care Reimbursements*.

### CLA Request for Proof of Payment for Child Care expenses

As stated, CLA requested that Council Member Jones provide CLA with proof that she made the payments as represented to the City in her *Family Care Reimbursement* requests. The deadline communicated to Council Member Jones to provide these documents to CLA was Tuesday, December 4, 2018 at 11:00 a.m., which was one hour prior to the scheduled follow-up interview. On Monday, December 3, 2018 at 9:55 a.m., CLA received an email from Council Member Jones that stated she was working on providing the items as requested, but it was taking longer than she expected. She then stated, "I'm finishing going through my bank statements today. Can we reschedule our conference call for either Thursday of this week or sometime next week so I can get it together?" CLA replied that it was necessary to keep the interview as scheduled for Tuesday, December 4, 2018 at 11:00 a.m., but she could have until the end of that week to provide the requested items. Exhibit 74 includes these email communications.

### Council Member Jones' Call to Mr. Malin

On Tuesday December 4, 2018, at 9:14 a.m., CLA received a call from Mr. Freeman who advised CLA that Mr. Malin had called him the night before to communicate the details of a conversation Council Member Jones had with Mr. Malin earlier that day. CLA contacted Mr. Malin to obtain from him directly the details of his conversation with Council Member Jones. Mr. Malin stated that Council Member Jones called him at approximately 5:15 p.m. on Monday, December 3, 2018. She had told Mr. Malin she had a follow-up interview with CLA the next day and was attempting to assemble her bank statements. She communicated to Mr. Malin that she was not a wealthy person, had not paid the babysitters thousands of dollars, but maybe had paid a few hundred dollars when she could. She asked him how she should represent this information in her follow-up interview with CLA. Mr. Malin advised her to answer CLA's questions honestly and succinctly. She also asked whether she should retain the services of an attorney to represent her and asked him if she could write a check to the City for \$4,000 for the investigation to go away. Based on CLA's discussion with Mr. Malin, CLA understands that during this call, Mr. Malin recommended that Council Member Jones retain the services of an attorney and informed her that he could not provide her with an amount due back to the City. (Exhibit 75 contains the notes Mr. Malin took after the conversation he had with Council Member Jones).

### Follow-Up Interview Cancelled

As mentioned in Section 5 *Work Performed* approximately thirteen minutes before the scheduled follow-up phone interview with Council Member Jones on Tuesday, December 4, 2018, CLA received an email from John Coniglio, an attorney Council Member Jones had retained that morning to represent her in this matter. Mr. Coniglio stated that the interview could not take place as scheduled because there was short notice on his part and he needed to be present at any meetings with Council Member Jones (refer to Exhibit 09 for this email and memorandum).

### Results of Follow-Up Interview with Council Member Jones

The follow-up interview with Council Member Jones was rescheduled for December 11, 2018 (refer to Exhibit 10 for interview transcripts). During this interview, she again stated that when the *Family Care Reimbursement Requests* included the signature of Ms. Saleh, someone else was providing the care and not Ms. Saleh.

Council Member Jones provided CLA with a schedule she stated her grandmother, Ms. Saleh, prepared, which listed cash withdrawals made from the bank account of her grandmother. She stated that after her grandmother made those cash withdrawals, and her grandmother gave her (Council Member Jones) those funds to pay for childcare services.<sup>104</sup> Figure 3 contains the schedule provided, which according to Council Member Jones, describes the month of the withdrawal(s), the amount of the withdrawal(s), and the total she received in *Family Care Reimbursements* from the City.<sup>105</sup>

**Figure 3: Schedule of Withdrawals from Michele Saleh's Bank Account**

| Summary of Funds to Kayla Jones<br>July 2017 – August 2018 |           |                                       |
|------------------------------------------------------------|-----------|---------------------------------------|
| Date                                                       | Amount    | Totals from Child Care Expense Claims |
| July 2017                                                  | \$ 560.00 | 0                                     |
| August 2017                                                | \$ 190.00 | \$216.00                              |
| September 2017                                             | \$ 520.00 | \$973.00                              |
| October 2017                                               | \$3870.00 | \$292.00                              |
| November 2017                                              | \$2130.00 | \$253.00                              |
| December 2017                                              | \$ 795.00 | \$932.00                              |
| January 2018                                               | \$ 380.00 | \$406.00                              |
| February 2018                                              | \$1755.00 | \$ 50.00                              |
| March 2018                                                 | \$ 250.00 | \$201.00                              |
| April 2018                                                 | \$ 370.00 | \$142.00                              |
| May 2018                                                   | \$ 655.00 | \$281.00                              |
| June 2018                                                  | \$ 405.00 | \$2497.00                             |
| July 2018                                                  | \$ 600.00 | \$3650.00                             |
| August 2018                                                | \$ 545.00 | \$340.00                              |
| Total: \$13,025.00                                         |           | Total: \$10,233.00                    |

Because the City paid Council Member Jones \$2,497 and \$3,650 for June 2018, and July 2018, respectively, CLA asked Council Member Jones the reason for the difference between the amounts she stated she received from her grandmother to pay for childcare and the amounts she requested to be reimbursed by the City. Council Member Jones stated that there would be

<sup>104</sup> At the beginning of the follow-up interview, Council Member Jones and her attorney provided to the Court Reporter documents to scan and email to CLA. These documents were received by CLA in PDF form and included the schedule in Figure 3, supporting schedules with withdrawal dates and amounts, and a schedule that listed what Council Member Jones stated were her childcare expenses. The PDF files also included copies of Ms. Saleh's bank statements for the months of July 2017 to August 2018. Per review of the additional schedules included, it was noted that the listed amounts included checks as well as cash withdrawals.

<sup>105</sup> The column listing the amounts the City paid Council Member Jones for *Family Care Reimbursements* does not accurately reflect all of the reimbursements paid to her by the City. The payments made by the City for the months of May 2018 through August 2018 are reflected accurately.

differences because in addition to her using the money she received from her grandmother to pay for childcare, she used additional funds from her husband's bank account. Exhibit 76 includes various schedules provided to CLA by Council Member Jones, which include the schedule from Figure 3, a schedule detailing the dates of the withdrawals and/or checks, and a listing that includes payments for child care.<sup>106</sup>

CLA asked Council Member Jones whether she had repaid her grandmother for the money she received from her grandmother for childcare expenses. Council Member Jones stated that in her family they pool all of their funds together and give them to her grandmother who is the matriarch of her family. She stated, "Everything we have is given to my grandmother." CLA asked if she provided her grandmother the checks she received from the City for *Family Care Reimbursements*. Council Member Jones stated that the checks were not deposited into her grandmothers' account, but were deposited into her husband's account. Council Member Jones indicated that she did not have her own bank account.

CLA asked if she recalled her call to Mr. Malin on December 3, 2018. She stated that she did.<sup>107</sup> CLA asked her if during that call she had made any mention to Mr. Malin that she did not in fact pay for any of the child care services. Council Member Jones responded, "no. if that's his takeaway, then that's . . ." However, Mr. Coniglio instructed Council Member Jones to stop talking at that point, and she did not complete her response to CLA. CLA then asked if she had offered Mr. Malin to repay the City \$4,000 to resolve the audit and the questions related to the family care expenses. She stated that she had asked him, "how much would be required to pay the City to settle this." Then she mentioned that she had asked Mr. Malin "what is it going to look like," "is this like \$4,000?" However, Mr. Malin did not give her an amount.

CLA requested that Council Member Jones attempt to provide proof that the additional funds, for example for the months of June and July 2018, were withdrawn from her husband's bank account to pay for childcare services.

#### Follow-Up Email Communication

In a follow-up email communication on December 14, 2018, Council Member Jones communicated to CLA, "For Childcare during June 2018 and July 2018, I used cash funds in my safe from the months of Oct 2017 and Nov 2017 for childcare." This was the first time Council Member Jones mentioned that she had used funds kept in a safe to pay for childcare services.<sup>108</sup> CLA pointed out that she had not mentioned before that she kept thousands of

<sup>106</sup> Although the personal bank statements of Ms. Saleh were provided to CLA, CLA did not include the bank statements as an exhibit as they contain Ms. Saleh's personal information.

<sup>107</sup> Although Council Member Jones recalled calling Mr. Malin, she did not recall the exact date of the call.

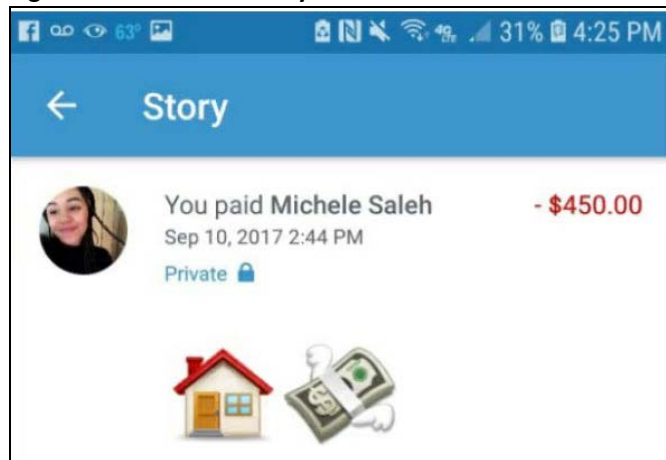
<sup>108</sup> CLA had mentioned during the first interview that some of the *Family Care Reimbursements* exceeded \$1,000.00 and imagined she would have had to go to the bank to withdraw such large amounts. At that time, Council Member Jones stated that she would attempt to locate support for those withdrawals and at no point mentioned that she had a safe containing thousands of dollars. She also did not mention this during her second interview.



dollars for several months in her safe that she then used to pay for childcare services in the months of June and July of 2018. She responded that it was a family safe that she shares with her grandmother and other family members, and “was not sure what the daily fluctuating balance was over the course of a year, but money was put aside for childcare.” Exhibit 77 contains these email communications.

In a separate follow-up email communication on December 14, 2018, Council Member Jones provided CLA with a screenshot of a transaction from September 10, 2017. She stated that it represented a payment she made to Ms. Saleh for childcare for September 2017.<sup>109</sup> Figure 4 contains this screenshot.

**Figure 4: Screenshot of Payment Made Via Venmo**



CLA responded to Council Member Jones’ email asking her to confirm that in the month of September 2017, she received from her grandmother \$520 in cash (Figure 3) and, in the same month, paid her grandmother \$450 via a Venmo transaction (Figure 4) to pay for Childcare services.<sup>110</sup> She replied that she gave her grandmother money that came from her husband’s account for “numerous reasons including childcare in general.” Exhibit 78 contains this email communication.

#### Review of Bank Statements Provided

CLA reviewed the bank account statements of Ms. Saleh and the schedule listing withdrawals and checks that, according to Council Member Jones, represented the amounts Ms. Saleh

<sup>109</sup> During her first interview she stated that the only childcare provider whom she had paid using a Venmo transaction was Ciara Williams.

<sup>110</sup> The *Family Care Reimbursements* Council Member Jones requested for September 2017, within a week before and after September 10, 2017, when the Venmo transaction took place, included \$60.00 for September 7, 2018, \$28.00 for September 9, 2017, and \$756.00 for September 13 to 15, 2017. The Venmo transaction does not correlate to the date or amount of the childcare expenses requested before or after the September 10, 2017, Venmo transaction.

gave her to pay for childcare services.<sup>111</sup> CLA confirmed that the withdrawals made from Ms. Saleh's account were listed in the schedules provided. Furthermore, CLA noticed that all of the withdrawals made from Ms. Saleh's account were listed in the schedules provided by Council Member Jones. This would imply that all of the cash withdrawals made by Ms. Saleh from her bank account were provided to Council Member Jones as withdrawn, and this cash was not used for any other personal purpose of Ms. Saleh. Additionally, the withdrawal dates and amounts did not coincide to the dates and amounts Council Member Jones listed in her *Family Care Reimbursement* requests.

#### Review of Email Communication

CLA identified an email dated September 6, 2018, from Ms. Hodgson to Council Member Jones. In this email, Ms. Hodgson informs Council Member Jones that on September 2, 2018, Council Member Jones submitted a request for *Family Care Reimbursement* that listed four instances of childcare for which the City had already paid Council Member Jones based on her request dated August 17, 2018.<sup>112</sup> The signature in the "childcare provided by:" line indicated Bree Jones for both of the requests. The second reimbursement request was not processed as the City had identified that this was a duplicate request of the first reimbursement on August 17, 2018. Exhibit 79 contains this email communication and the attached *Family Care Reimbursement* requests discussed in the email.

CLA reviewed both of the *Family Care Reimbursement* requests and noticed that of the four events duplicated on the requests for August 17, 2018, and September 2, 2018, three of them listed a different dollar amount on each request. Both of the *Family Care Reimbursement* requests contained the signature of Bree Jones, who is Council Member Jones' mother. Figure 5 and Figure 6 include both of these requests.

---

<sup>111</sup> CLA requested that Council Member Jones provide copies of the checks listed in this schedule to confirm that the checks were made payable to Council Member Jones or one of the childcare providers. Council Member Jones did not provide copies of these checks.

<sup>112</sup> The *Family Care Reimbursement* request dated August 17, 2018, is also discussed later in this section in regards to overnight care for Council meetings that continued past 10:30 p.m.

Figure 5: Family Care Reimbursement Request Dated August 17, 2018

Kayla Jones

Childcare provided on:

August 2<sup>nd</sup> council meeting: \$45

August 14<sup>th</sup> NSVMAD meeting: \$35

August 14<sup>th</sup> Arts & History Commission: \$35

August 16<sup>th</sup> council meeting: \$225 (overnight care required, picked up at 9 am)

Total: \$340

Childcare provided by:

Bree Jones 8/17/18

Bree Jones 8/16/18

Figure 6: Family Care Reimbursement Request Dated September 2, 2018

Kayla Jones

Childcare provided on:

August 2<sup>nd</sup> council meeting: \$45

August 9<sup>th</sup> sugarleaf ribbon cutting: \$25

August 14<sup>th</sup> NSVMAD meeting: \$40

August 14<sup>th</sup> Arts & History meeting: \$40

August 16<sup>th</sup> council meeting: \$75

August 24<sup>th</sup> spoke to classes at Foothill elementary: \$30

Total: \$255

Sign Bree Jones Date: 9/2/18

#### Analysis of Documentation and Statements of Council Member Jones

*Council Member Jones' verbal statements to CLA during her interviews are inconsistent with the information she represented to the City on her Family Care Reimbursement requests.*

- Based on the Family Care Reimbursement requests submitted by Council Member Jones to the City, childcare was provided by Ms. Saleh for which Council Member Jones paid her a total of \$5,992. However, to CLA, Council Member Jones stated that Ms. Saleh had not provided the childcare directly and only managed the childcare services on her behalf. This fact pattern indicates that Council Member Jones presented to the City false and/or misleading information in her *Family Care Reimbursement* requests.

*The typed notes Council Member Jones provided to the City documenting her payments for child care are not reliable.*

- Bree Jones (Council Member Jones's mother) signed, on two separate occasions, a request for reimbursement for three of the same events; however, the dollar amounts indicated on each request were different. This suggests that the *Family Care Reimbursement* requests submitted by Council Member Jones are unreliable as evidence for actual childcare payments made by Council Member Jones. This also calls into question whether Bree Jones, as a family member of Council Member Jones, was actually paid by Council Member Jones for providing childcare services because she signed to having received two different amounts.

*Council Member Jones made inconsistent statements to CLA regarding the source of the funds used to pay for childcare services.*

- During Council Member Jones' first interview with CLA, she claimed to have paid for childcare services using cash, wire transfers, and Venmo.
- During Council Member Jones' second interview with CLA, she claimed that Ms. Saleh, her grandmother, gave her the funds via cash withdrawals to pay for childcare services. Council Member Jones provided CLA with schedules detailing withdrawals and checks from Ms. Saleh's bank account that Council Member Jones claimed were given to her to pay for childcare services. She also claimed that any differences between the amounts taken from Ms. Saleh's account and what she had requested in reimbursement would have come from her husband's bank account. In her first interview, Council Member Jones never mentioned that the source of funds was her grandmother, Ms. Saleh.
- Via an email sent to CLA subsequent to Council Member Jones' second interview, she claimed that in July 2018 and August 2018, when her reimbursement requests to the City exceeded \$6,000, she paid for the childcare services using cash from a family safe that had cash she received from Ms. Saleh in October 2017 and November 2017 (refer to Exhibit 77, which includes this email communication). During her interviews with CLA, Council Member Jones never mentioned using cash from a family safe to pay for childcare services.

*Council Member Jones has not provided CLA with sufficient information to support the childcare expenses she claimed on the Family Care Reimbursement requests submitted to the City, with the exception of one request for \$56.00.*

- Council Member Jones provided evidence of one payment made to Hailey Nelson on August 26, 2017 for \$56.00 (see Figure 2). This was the only proof of payment that reflects an amount she represented to the City that she incurred as an expense for childcare.
- Council Member Jones provided schedules detailing cash withdrawals and checks from Ms. Saleh's bank account that she claimed were given to her to use for childcare services. Although the bank statements evidence cash withdrawals and check

disbursements from Ms. Saleh's account, this is not evidence that Council Member Jones paid for childcare services. Additionally, it is unlikely that all of the cash withdrawals from Ms. Saleh's account were provided to Council Member Jones specifically to pay for childcare services, and none of these withdrawals represent Ms. Saleh's personal use of her funds. If Ms. Saleh did provide cash to Council Member Jones to pay for childcare services, this raises the question of whether Council Member Jones was due a reimbursement from the City as she did not personally incur the costs for childcare services. Furthermore, the withdrawal dates and amounts on Ms. Saleh's bank statements did not coincide to the dates and amounts Council Member Jones listed in her *Family Care Reimbursement* requests.

- The payment made to Michele Saleh on September 10, 2017, for \$450.00 is not evidence to support that this payment was made for childcare services. According to Council Member Jones, Ms. Saleh did not directly provide the childcare and only managed the childcare services on behalf of Council Member Jones. Furthermore, the date of September 10, 2017, for the \$450 payment does not match any of the dates or amounts included in her requests for *Family Care Reimbursements*. The *Family Care Reimbursements* Council Jones requested within a week before and after this Venmo transaction included \$60.00 for September 7, 2017, \$28.00 for September 9, 2017, and \$756 for September 13, 2017 to September 15, 2017.

Council Member Jones admitted to Mr. Malin during a phone call on December 3, 2018, that she had not paid for childcare services in the amounts she had represented to the City. Mr. Malin informed CLA that Council Member Jones told him that she had paid for childcare expenses that amounted to a few hundred dollars instead of the thousands of dollars she represented to the City. During the same conversation, she also asked Mr. Malin if she could pay \$4,000 to the City to make this go away. Mr. Malin's account of this conversation appears supported by the inconsistencies in Council Member Jones' statements and the lack of evidence to support the actual payments made by Council Member Jones for childcare services.

### Conclusion

With the exception of one payment for \$56.00, CLA was unable to verify that Council Member Jones actually paid for childcare services as represented to the City in her *Family Care Reimbursement* requests. The unsupported reimbursements to Council Member Jones for childcare services total \$11,413.00. These reimbursements to Council Member Jones may be a violation of California Government Code § 36514.5 which provides that only "actual and necessary expenses incurred in the performance of official duties" [emphasis added] may be reimbursed to city officials. Similarly, these reimbursements may be a violation of the City's *Expense and Use of Public Resources* policy Section III K, which allows for "Reimbursement for actual family care expenses incurred in the performance of official duties." Furthermore, Council Member Jones appears to have submitted to the City false expense reports, the payments of which represent a misuse of public resources. According to California Government Code § 53232.4, penalties for the misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, loss of reimbursement

privileges, restitution to the local agency, civil penalties for misuse of public resources, and/or prosecution for misuse of public resources.

CLA does not make a conclusion as to whether Council Member Jones' husband was available to provide the care for their daughter while Council Member Jones was away at conferences.

**(18) Not a Necessary Expense – Family Care - \$1,060:**

CLA identified a *Family Care Reimbursement* paid to Council Member Jones related to her trip to Hilo, Hawaii for a grant writing class. The request submitted to the City was for \$1,060 for July 21, 2018, with the description "July 21<sup>st</sup> Travel to grant writing usa: \$340;" and for July 23 to 24, 2018 with the description "Grant Writing USA 23<sup>rd</sup>-24<sup>th</sup>: \$720." The review of the hotel receipt related to her trip to Hilo, Hawaii revealed that the room was occupied by two guests. Figure 7 includes the note Council Member Jones used to request this *Family Care Reimbursement*, which was approved by Mr. Malin.

**Figure 7: for Family Care Reimbursement**

Kayla Jones

Childcare provided on:

July 21<sup>st</sup> Travel to grant writing usa: \$340

Grant writing USA 23<sup>rd</sup>-24<sup>th</sup>: \$720

~~Total: \$1,060~~ \$ 1060.<sup>00</sup>

Childcare provided by:

Dee Russo 7/25/18

Dee Russo 7/25/18

PLEASE PAY  
7/27/18  
100-1010-7176

Results of Interview

CLA inquired with Council Member Jones whether anyone had traveled with her to Hilo, Hawaii. Council Member Jones communicated to CLA that her husband had traveled with her. During the first interview, Council Member Jones stated that her husband had arrived in Hawaii a day after she did and, therefore, believed that the City should have processed her

*Family Care Reimbursement* request for her day of travel (July 21). However, for the remaining days (July 23-24), because her husband was with her when he could have been home providing the childcare for their daughter, Council Member Jones stated that she should not have requested reimbursement from the City for childcare expenses incurred on these days. When asked again why she would have requested a reimbursement for family care when her husband had accompanied her on this trip, she stated, “it doesn’t make sense to me that I requested childcare at all.” During her second interview, Council Member Jones stated that she should have not been paid for \$720 of the *Family Care Reimbursement* related to her trip to Hilo, Hawaii.

### Conclusion

Based on Council Member Jones’ own admission that she should not have requested a reimbursement for childcare services on July 23 and 24, 2018, CLA concludes that \$720.00 of the childcare costs reimbursed to Council Member Jones for her trip to Hawaii was inappropriate, as her husband could have stayed home to care for their daughter. For the remaining \$340.00 in childcare costs reimbursed to Council Member Jones for this trip, CLA refers back to Finding Number (17).

### **(19) Overpayment – Family Care – \$241.00:**

CLA identified two instances in which Council Member Jones submitted a *Family Care Reimbursement* request for her attendance at Council meetings for which the number of hours claimed appears to be an overpayment based on the actual length of each of the Council meetings. The total questioned cost for these two instances is \$241.00 (\$114.00 + \$127.00 = \$241.00).

- 1) For the date of June 21, 2018, Council Member Jones submitted a *Family Care Reimbursement* request for \$240.00, which at an hourly rate of \$14.00, calculates to a total of 17 hours.<sup>113</sup> The description listed on the document submitted by Council Member Jones was “June 21<sup>st</sup> council meeting (went very late, required overnight care): \$240.” Exhibit 80 contains this *Family Care Reimbursement* request

CLA reviewed the Council meeting minutes published on the City’s website and noticed that the Council meeting minutes listed a starting time on June 21, 2018, of 5:30 p.m. for a special meeting and 7:25 p.m. for the regular meeting. The recorded ending time of 12:12 p.m. would indicate the meeting lasted approximately 16.8 hours (Exhibit 81). However, the minutes appear to have incorrectly stated an ending time of 12:12 p.m. instead of an ending time of 12:12 a.m.<sup>114</sup> The Council meeting minutes recorded an adjournment for a ten-minute break at 10:10 p.m. and reconvened at 10:20 p.m. There were no other breaks

<sup>113</sup> CLA used \$14.00 as the hourly rate based on the email Council Member Jones sent to Mr. Malin on June 7, 2017, in which she provided an estimated hourly rate for childcare costs. Refer to Exhibit 12 for this email.

<sup>114</sup> Recorded on page 7 of the Council meeting minutes is a motion by Council Member Pacheco, seconded by Council Member Jones, for the City Council to approve continuing the meeting past 10:30 p.m. The motion was approved.



after this time and it appears highly unlikely that a Council meeting would extend until noon of the next day without any additional breaks. Furthermore, CLA inquired of Ms. Hodgson whether she recalled if this Council meeting had adjourned at noon on the following day. She stated that although the meeting had been long and may have lasted past midnight, it certainly did not last until noon the next day.

CLA reviewed the *Family Care Reimbursement* support and noticed that there is no approval signature; however, the payment was processed. It is CLA's determination that the number of hours for family care included in this expense reimbursement for the performance of official duties should have been approximately nine hours for a total of \$126.00.<sup>115</sup> Therefore, CLA has determined the overpayment amount at \$114.00.<sup>116</sup>

- 2) For the date of August 16, 2018, Council Member Jones submitted a *Family Care Reimbursement* request for \$225.00, which at the hourly rate of \$14.00, calculates to a total of approximately 16 hours. The description listed on the document submitted by Council Member Jones was "August 16<sup>th</sup> council meeting \$225 (overnight care required, picked up at 9 am)." The *Family Care Reimbursement* request included a signature date by the caregiver, Bree Jones, of August 17, 2018. Exhibit 82 includes this *Family Care Reimbursement* request.

CLA reviewed the Council meeting minutes for August 16, 2018 and identified a start time of 5:30 for a special meeting and of 7:12 p.m. for the regular meeting. The end time recorded was 10:19 p.m., which would have required at most 7 hours of childcare.<sup>117</sup> Exhibit 83 includes the August 16, 2018 Council meeting minutes. Additionally, Council Member Jones submitted a second reimbursement request for this same Council meeting only this time the description stated, "August 16<sup>th</sup> council meeting \$75." The signature date by the caregiver, Bree Jones, was September 2, 2018. The second reimbursement request was not processed as the City had identified that this was a duplicate request of the first reimbursement on August 17, 2018.<sup>118</sup>

The expense reimbursement was not signed by anyone at the City for approval; however, the payment was processed. It is CLA's determination that the appropriate number of

---

<sup>115</sup> Although the Council meeting lasted approximately seven hours, CLA calculated the estimated cost with additional time allocated for commuting time (one hour each way). The calculation is as follows: \$14.00 x 9 hours = \$126.00.

<sup>116</sup> CLA arrived at this calculation as follows: Total reimbursement of \$240.00 - \$126.00 = \$114.00.

<sup>117</sup> CLA calculated the estimated hours needed for childcare including commuting time (one hour each way), for a total of seven hours.

<sup>118</sup> Bree Jones (Council Member Jones's mother) signed, on two separate occasions, a request for reimbursement for three of the same events; however, the dollar amounts indicated on each request were different. This suggests that the *Family Care Reimbursement* requests submitted by Council Member Jones are unreliable as evidence for actual childcare payments made by Council Member Jones. This also calls into question whether Bree Jones, as a family member of Council Member Jones, was actually paid by Council Member Jones for providing childcare services because she signed to having received two different amounts.



hours needed for childcare services during Council Member Jones' performance of her official duties is approximately 7 hours for a total of \$98.00.<sup>119</sup> Therefore, CLA has determined the overpayment amount at \$127.00.<sup>120</sup>

### Results of Interviews

#### ***Kayla Jones***

During her interview, Council Member Jones stated that, when Council meetings went late into the night, her daughter slept at the childcare provider's home. She stated that her husband was not available to care for their daughter overnight, and Council Member Jones would pick up her daughter from the childcare providers' home the next day. She stated it was her understanding that she could request a reimbursement for overnight care if the Council meetings went late into the night.

CLA pointed out to Council Member Jones that she had submitted two requests for reimbursement for childcare provided for the August 16, 2018 Council meeting, and the amount included on each was different. The first reimbursement request indicated that overnight care was required; however, the second reimbursement request did not. CLA asked Council Member Jones about the reason for the discrepancy between the two requests. Council Member Jones stated that her daughter had spent the night at her mother's house; however, because she submitted the second, and duplicative, *Family Care Reimbursement* request in the subsequent month, she must not have recalled the actual hours of childcare. Because she submitted the first request on the day after the Council meeting, her recollection of the hours was more accurate at that time. She also stated that she had told Ms. Hodgson that she had made a mistake by submitting the second request.

#### ***Craig Malin***

CLA asked Mr. Malin whether he, at any point, discussed with Council Member Jones regarding her husband's availability to watch their daughter overnight. Mr. Malin stated that this was a question he did not think he could or should ask of Council Member Jones.

### Review of Council Meeting Recordings

Per review of City Council meeting recording for June 15, 2017, CLA identified at minute 00:21:35 Mr. Malin's explanation that the proposed budget included \$3,000.00 for "Council Member Child Care Reimbursement."<sup>121</sup> He stated this was being proposed for reimbursements to Council Members for childcare expenses that they may incur in the course of their official duties. It would work in the same way that the City reimbursed Council

<sup>119</sup> Although the Council meeting was only three hours, CLA calculated the estimated cost with additional time allocated for commuting time (one hour each way). The calculation is as follows: \$14.00 x 7 hours = \$98.00

<sup>120</sup> CLA arrived at this calculation as follows: Total reimbursement of \$225.00 - \$98.00 = \$127.00

<sup>121</sup> Mr. Malin was providing information for each of the line items for programming enhancements, and "Council Member Child Care Reimbursements" was one of the line items.

Members for travel and training. He also explained the "Council Member Child Care Reimbursement" would have to be approved as a City policy in order to have it placed in the budget. He explained that the intent behind this proposed policy was to allow more people to participate in Council services. At minute 03:18:35, Council Member Campbell mentioned, during his time for questions on the proposed budget, that he received a comment from a constituent on the proposed "Council Member Child Care Reimbursement." He briefly commented that it would be advisable to call it "Family Care" in order to make it more inclusive.

During the July 20, 2017, Council meeting, the City Council approved a resolution to modify the City's *Expense and Use of Public Resources* policy to include *Section III K – Family Care Expenses*: "Reimbursement for actual family care expenses incurred in the performance of official duties." When this policy was approved, there was no discussion by the City Council on what was specifically allowable under this policy or the intent by the Council regarding overnight care for Council meetings that extend late into the night.

### Conclusion

It is CLA's conclusion that the portion of the childcare expenses reimbursed to Council Member Jones for overnight childcare on June 21, 2018 and August 16, 2018, totaling \$241.00, were questionable and possibly unnecessary as Council Member Jones' official duties ended at the adjournment of the Council meetings. These reimbursements to Council Member Jones may be a violation of California Government Code § 36514.5 which provides that only "actual and necessary expenses incurred in the performance of official duties" [emphasis added] may be reimbursed to city officials. Similarly, these payments may also violate the City's *Expense and Use of Public Resources* policy *Section III K*, which allows for "Reimbursement for actual family care expenses incurred in the performance of official duties" [emphasis added]. After the adjournment of the Council meeting, Council Member Jones was no longer acting in the performance of her official duties.

Based on the limited information included in the City's *Expense and Use of Public Resources* policy, and the limited discussion by the City Council surrounding this addition to the policy, it is unknown if the City Council intended for this benefit to be used in instances when the overnight childcare was needed when Council meetings ran late into the evening.

CLA does not make a conclusion on whether Council Member Jones' husband may have been available to provide the care for their daughter while Council Member Jones attended a Council meetings that extend late into the night.

## 9. Recommendations

The following recommendations are based on CLA's understanding of the processes and procedures relating to Council Member Travel Expenses as identified through this forensic accounting and investigative services engagement. These recommendations are for the City to consider and it is up to the City to determine whether the recommendations will be implemented, to what extent they will be implemented, and the process for implementation.

**1) Ensure that all expenses are posted to the appropriate accounts and for the correct amounts in the City's general ledger.**

As stated in Finding Number (1), CLA identified errors in posting expenses to the general ledger in the correct amounts or to the correct general ledger account. It is imperative that expenses be posted accurately to the general ledger so that an appropriate record exists for each expense.

**2) Establish a process to verify that the Council Member travel budget and *Family Care Reimbursement* budget have sufficient funds prior to incurring expenses for these accounts, and obtain approval from the City Council in a public meeting when the budgets must be exceeded.**

As stated in Finding Number (2), the Council Member travel expense budgets of one or more years for four Council Members was exceeded. Additionally, the *Family care Reimbursement* budget was exceeded in the two years that it existed. Establishing a process to verify sufficient funds are available prior to incurring the expense will help prevent these types of overages. The use of a checklist may be implemented to record this review. In accordance with the City's *Expense and Use of Public Resources* policy, if the requested expense appears to exceed the established budget, the request for the expense must be presented to the City Council for approval at a public meeting prior to the expense being incurred.

**3) Implement a procedure whereby anticipated Council Member travel outside of California are presented to the City Council for approval, along with an estimated total cost, prior to incurring any related expenses such as conference registration and travel reservations.**

As stated in Finding Number (3), one instance of travel for Mayor Rubio and six instances of travel for Council Member Jones were for travel outside of California that was not presented for approval by City Council at a public meeting. In order to implement this procedure, training must be provided to Council Members as well as to those individuals responsible for assisting the Council Members in making travel arrangements. If family care costs are anticipated as part of a Council Members' travel, the total cost presented to the City Council for approval should include the estimated family care costs. The checklist mentioned in recommendation 2 above should have an area to record whether the request includes out-of-state travel and the day it was approved by City Council at a public meeting. The support retained for such expenses should include this checklist.

- 4) Establish a process whereby Council Members engaging in out-of-state travel report to the City Council at a public meeting about the meetings, conferences, and/or out-of-state travel attended by the Council Members at the City's expense.**

As stated in Finding Number (4), although Council Member Jones communicated to the City Council during a public meeting about taking a grant writing class, she did not state the location for travel or the associated cost. The City should implement a process to ensure that a report is given to the City Council of all travel related meetings (or conferences) attended at the City's expense, as required by *Section VII of the City's Expense and Use of Public Resources* policy. The report must be given at the following City Council meeting and should include all meetings and conferences attended at the City's expense. This report should include details related to the purpose of the event, location of the event, benefit to the City, and total related expense incurred by the City for the Council Member, including whether any family care costs were incurred.

- 5) For Council Member travel expenses paid using a City-issued CAL-Card, require that Council Members turn in to the city a *Travel Reconciliation* form listing all of the expenses incurred for instances of travel along with the related conference itinerary and receipts.**

As stated in Finding Number (4), Council Member Jones made charges to her City-issued CAL-Card for expenses that represented personal expenses, as they were not incurred in the performance of her official duties as a Council Member. As stated in Finding Number (7), there were several instances where receipts were not turned into the City, the receipts turned in were not detailed receipts (Finding Number (12), or there was insufficient support to understand the purpose of the travel (i.e. conference flyer/itinerary; Finding Number (14)). To prevent such occurrences, whether Council Member expenses are incurred directly by a charge to a CAL-Card or requested through an expense reimbursement, Council Members must within ten days of their return, turn into the City a *Travel Reconciliation* form (required by the City's *Expense and Use of Public Resources* policy). This form should list each expense incurred and be supported by detailed receipts, and the conference itinerary. Prior to processing payment for expense reimbursements or payment for the CAL-Card charges, the finance department should review the completed form and the attached details and itinerary to verify that the listed expenses are consistent with the necessary travel costs based on the submitted conference itinerary. For example, the number of days should be reasonable based on the location and the beginning and ending dates of the conference. Meals charges should only be included if the meals were not provided by the conference. *The Travel Reconciliation* form can be used by the Council Members to identify the total expense related to the instance of travel in their presentation to the City Council as mentioned in Recommendation Number 4.<sup>122</sup>

---

<sup>122</sup> If a similar process is not already in place for City employees engaging in travel at the City's expense, the City must consider implementing the same process of requiring that a form be completed providing the details of travel accompanied by the travel itinerary and related detailed receipts.

**6) Provide training to Council Members concerning the *City Expense and Use of Public Resources* policy.**

As stated in Finding Number (5), CLA identified instances where Council Member Jones charged to her City-issued CAL-Card for meals that exceeded the city-established limits of \$12.00 for breakfast, \$18.00 for lunch, and \$36.00 for dinner. CLA also identified three charges for Mayor Pro Tem Alexander and one charge for Council Member Campbell that was in excess of the City-established limits.<sup>123</sup> The City must provide appropriate training to Council Members during the onboarding process, and at least every two years thereafter, to inform them of City policies and procedures applicable to them. This training must include a discussion of the City's *Expense and Use of Public Resources* policy, and training on how to complete their expense reimbursement forms, so that they are aware of the types of expenses not allowed by City policy.<sup>124</sup>

**7) Consider reviewing and possibly updating the *City Expense and Use of Resource* policy for items within the policy that may be too difficult to comply with (for example, consider updating the \$1.00 maximum allowance for the airline bag check-in fee).**

As stated in Finding Number (5), there were seven instances Council Member Jones incurred a cost of \$25.00 per instance when she checked in a bag while traveling. The *City Expense and Use of Resources* policy provides for a \$1.00 allowance for bag check-in fees. However, the median cost for baggage check-in fees is approximately \$25.00 to \$30.00 per checked-in bag. The City may consider assessing whether this allowance is sufficient to reasonably cover the associated cost.

**8) Update the City's *Expense and Use of Public Resources* policy to provide guidance to City employees and Council Members regarding travel that must be canceled due to an emergency or sudden illness. Provide appropriate training to employees and Council Members, especially purchasing cardholders, regarding their duty of stewardship over the use of limited public resources.**

As stated in Finding Number (6), there were several instances in which Council Member Jones paid for airfare, car rental, lodging, and conference registrations with her City-issued CAL-Card and did not attend the related conference. It is imperative that City employees and Council Members understand their duty of stewardship over the City's funds, especially individuals that are issued purchasing cards. There will be occasions when an emergency or sudden illness prevents the person from traveling as scheduled; however, these instances should be rare. Recurring instances of canceled travel by the same individual should be further evaluated by City management and an assessment made regarding whether that individual should be authorized to travel in the future at a cost to the City.

---

<sup>123</sup> Both Mayor Pro Tem Alexander and Council Member Campbell reimbursed the City on January 16, 2019, for the questioned cost related to their expenses in excess of the City policy limits.

<sup>124</sup> Other unallowed expenses include payment to a Political Action Committee as detailed in Finding Number (9) and reimbursement for gasoline as detailed in Finding Number (10).

- 9) Ensure that an accurate accounting is performed and reimbursements are obtained for instances in which the City incurs the cost of tickets purchased for a guest of a Council Member to attend an event.**

As stated in Finding Number (8), the City incurred a cost of \$800.00 for Mayor Rubio and \$150.00 for Mayor Pro Tem Alexander, for the purchase of tickets for their guests to accompany them to events. These amounts should have been reimbursed to the City because they represented a personal expense for which the City may not bear the cost.<sup>125</sup> If the City continues to purchase the tickets to events for the guests of Council Members, an appropriate accounting should be performed and the related amounts must be returned to the City in order to comply with established City policy.

- 10) Establish a procedure to ensure that only expense reimbursements submitted with the required *Travel Expense Report* form, that includes a description of the business purpose and detailed receipts, are processed for payment.**

As stated in Finding Number (13), out of 29 expense transactions submitted by Council Members for reimbursement, only nine were requested using the required *Travel Expense Report* form. Ensuring that a standard procedure is followed to process all requests for expense reimbursements will assist the City in ensuring that sufficient documentation is obtained for all expense reimbursements. Furthermore, the individual seeking the reimbursement should be the individual completing the expense reimbursement form to prevent errors in completing the form, such as double counting expenses when both a summary receipt and a detailed receipt is submitted for the same expense. If an individual requires assistance in completing the form, the individual must review the completed form and understand that his or her signature attests to the accuracy of the information included on the *Travel Expense Report* form. Next the signature line of the requester, the form should include a statement that the information included on the *Travel Expense Report* accurately reflects all travel costs incurred and are in accordance with the City's *Expense and Use of Public Resources* policy.

- 11) Ensure that appropriate support is retained for any reimbursements paid by Council Members to the City for personal expenses originally incurred by the City on their behalf.**

As stated in Finding Number (15), CLA identified eleven adjustments recorded to the Council Members' travel expense accounts for expenses originally incurred by the City for which Council Members appear to have reimbursed the City. However, the City could not locate the support for these reimbursements. If the City Council continues to allow the practice of incurring an expense for an unallowable cost with the intent that the Council Members will reimburse the City, a copy of the check issued by the Council Member to reimburse the City, along with a copy of the receipt issued, should be retained as support by the City for the payment received.

- 12) When the City pays for an unallowed cost on behalf of a Council Member that will later be reimbursed by that Council Member, the portion of the cost that will be reimbursed should be**

---

<sup>125</sup> Both Mayor Rubio and Mayor Pro Tem Alexander reimbursed the City on January 15, 2019, and January 16, 2019, respectively, for the questioned costs identified in Finding Number (8).

recorded to a receivable (or due from) account and not the Council Member's travel expense account.

As stated in Finding Number (16), Mayor Rubio repaid the City through stipend deductions for twelve instances in which the City had paid for the event entrance fees for his wife to attend a City related event with him. The original cost of his wife's entrance fees were recorded to his travel expense account. When Mayor Rubio reimbursed the City through stipend deductions, his travel expense account was not adjusted to reflect the reimbursement, therefore overstating his expense account. If the City Council continues to allow the practice of incurring unallowable costs with the intent that the Council Members will reimburse the City, the portion of the cost that will be reimbursed by the Council Member should be recorded to a receivable (or due from account) and not the Council Member's travel expense account. Tracking these costs in a receivable account will allow the City to track these costs, ensure sufficient reimbursements are received, and will help prevent overstatement of expense accounts.

**13) Establish a process whereby the City obtains sufficient supporting documentation to verify that a family care expense has actually been incurred prior to processing any *Family Care Reimbursements*.**

As stated in Finding Number (17), the City paid Council Member Jones \$11,469.00 in *Family Care Reimbursements* based on a note provided by her to the City that listed dates, total amounts, and a brief description of the reason for the purported expense. However, the number of hours was not stated, the hourly rate was not stated, and no receipt existed to support the childcare payment made by Council Member Jones to the childcare provider. The City must require evidence that a family care expense was actually incurred prior to processing a reimbursement. This could include a receipt from a licensed childcare facility, a copy of a check, money order, or cashier's check made payable to the childcare provider, or a receipt from a third-party establishment or business documenting the services provided and cost incurred. Additionally, a request for childcare reimbursement, or other hourly services, should include the date, number of hours the service was provided, the hourly rate paid to the service provider, and a statement that the person providing the care (or other service) actually received the payment. Sufficient supporting documentation should also include a detailed description of the event the Council Member attended that required the family care costs to be incurred. For example, if a Council Member attends a conference, a copy of the conference flyer/itinerary and a detailed explanation justifying how the event was within the Council Member's "official duties" should be provided along with the request for reimbursement.

**14) Update the *Family Care Reimbursement* section contained in the City's *Expense and Use of Public Resources* policy to address the intent of the policy and provide guidelines for implementation. Develop a complementary procedure that provides sufficient details to allow management to effectively implement the use of this reimbursement benefit for Council Members.**

Although the City Council approved in its budget the *Family Care Reimbursement* policy, the City failed to establish appropriate complementary procedures to execute this policy. In order for this policy to be effectively implemented, detailed parameters (guidelines) should be



established that identify when a family care cost qualifies for reimbursement under the *Family Care Reimbursement* benefit. The detailed procedures must address the following areas:

- The types of city events that qualify for this expense reimbursement (Council meetings, non-city events attended by Council Members, conference attendance, etc.)
- The methods of payment that are acceptable for the Council Member incurring the expense in order to provide evidence of payment to the City (check, money order, smartphone-based payment applications) – CLA strongly recommends that cash not be an accepted form of payment unless the payment is being made to a licensed, third-party facility that can provide adequate receipts
- Any limits to the number of hours or dollar amounts that can be requested for reimbursement
  - If a Council meeting lasts past 10:30 p.m., will *Family Care Reimbursements* be approved for overnight care for next morning pick up?
  - If the Council Member is attending a conference that requires overnight travel, will a reimbursement be processed for 24-hour (overnight) care?
- Whether the care/service provider must be a third party, licensed facility or friends and family members can provide the care/service – If care/service can be provided by a related party, consider whether additional supporting documentation would be needed
- If the care provider is not a licensed facility, whether there is any liability to the City should there be any care-related issues arising from the family care provider
- If childcare is provided for the members of the community at City Hall, whether Council Members are required to utilize this service for their children as a first option
- Whether advance approval of the City Council is required for family care costs that will exceed a certain dollar threshold, such as \$500
- Whether the Council Member, or his/her household, must have personally paid the cost of the required family care – CLA defines “household” as someone living at the same physical address as the Council Member and/or that files a joint tax return with the Council Member (such as a spouse)

**15) Create a form to be used for requests of *Family Care Reimbursement* that contains sufficient fields to record the required information.**

The form must detail the name of the Council Member, the dates of care, the number of hours, the hourly rate paid, the name of the family care provider, the event requiring the incurrence of family care, and any other parameters or limitations established by City Council and/or City management pursuant to recommendation #14. This form must also record the support attached to describe the business reason for the expense (conference agenda, City Council



meeting agenda, etc.). The form should include a location for the Council Member to sign with a statement that the information included on the form is accurate and all family care costs were incurred by the Council Member or his/her immediate household.

- 16) Ensure that requests for *Family Care Reimbursements*, and the required support, are reviewed for compliance with the City's policy and are reasonable and appropriate. Require that the review be documented with an approval signature prior to processing the reimbursement.**

During the review of *Family Care Reimbursements* paid to Council Member Jones, CLA identified several reimbursement requests that did not contain an approval signature but were still process for payment. The City should require that all requests for *Family Care Reimbursements* be reviewed and an approval signature is documented on the request prior to processing the reimbursement for payment. The review of the request and supporting documentation should ensure that the request complies with the City's policy, including any updated made as a result of the recommendations made in this report.

## 10. List of Exhibits

**Table 19: List of Exhibits**

| Exhibit Number | Exhibit Description                                                                                                                                                                   |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 01             | CLA Information                                                                                                                                                                       |
| 02             | Bio: Rich Gonzalez                                                                                                                                                                    |
| 03             | Bio: Jenny Dominguez                                                                                                                                                                  |
| 04             | Bio: Ana Rodriguez                                                                                                                                                                    |
| 05             | City of Seaside <i>Expense and Use of Public Resources</i> policy                                                                                                                     |
| 06             | Interview Transcripts: Craig Malin 11/28/18                                                                                                                                           |
| 07             | Request for Interview- memorandum to Council Member Jones                                                                                                                             |
| 08             | Interview Transcripts: Kayla Jones 11/28/2018                                                                                                                                         |
| 09             | 12/4/2018 Email and letter from Council Member Jones' attorney                                                                                                                        |
| 10             | Interview Transcripts: Council Member Jones 12/11/2018                                                                                                                                |
| 11             | 5/2/2017 Email - Family care                                                                                                                                                          |
| 12             | 6/7/2017 Email - Family care                                                                                                                                                          |
| 13             | 7/13/2017 Email - Family care                                                                                                                                                         |
| 14             | Family Care: Resolution, Staff report, and City Council meeting minutes for 7/20/2017                                                                                                 |
| 15             | Issuance of CAL-Card to Council Member Jones: Memorandum, <i>Purchasing Cardholder Use Agreement</i> , and <i>Purchasing Card Policies and Procedures</i>                             |
| 16             | Council Member Jones' CAL-Card statements March 2018 to September 2018                                                                                                                |
| 17             | 10/19/2018 Email - CAL-Card return confirmation                                                                                                                                       |
| 18             | 5/24/2018 Email - CAL-Card available balance                                                                                                                                          |
| 19             | Text communication between Mr. Malin and Council Member Jones re: hotel reservation                                                                                                   |
| 20             | Council Member expenses reconciliation                                                                                                                                                |
| 21             | Family care reimbursement coded to account 7177 instead of account 7176                                                                                                               |
| 22             | Budgets for Council Member expenses 2015/16 to 2017/18                                                                                                                                |
| 23             | Budget for Council Member expenses 2018/19                                                                                                                                            |
| 24             | California Government Code § 53232.2                                                                                                                                                  |
| 25             | Support for Mayor Rubio's travel to Harrisburg, Pennsylvania - include copy of reimbursement check from Mayor Rubio to city                                                           |
| 26             | Support for Council Member Jones' travel to Fort Worth Texas (Only family care reimbursement)                                                                                         |
| 27             | Support for Council Member Jones' travel to Atlanta, Georgia                                                                                                                          |
| 28             | Support for Council Member Jones' scheduled travel to Little Rock, Arkansas                                                                                                           |
| 29             | Support for Council Member Jones' travel to Hilo, Hawaii                                                                                                                              |
| 30             | Support for Council Member Jones' travel to Seattle, Washington                                                                                                                       |
| 31             | California Government Code § 36514.5                                                                                                                                                  |
| 32             | Anaheim, California conference travel (2018 Women's Conference): Conference itinerary, listing of all costs incurred, corresponding CAL-Card statements, and hotel receipt            |
| 33             | Anaheim, California conference travel (2018 Women's Conference): Listing of questioned cost incurred for personal expenses incurred and hotel receipt with relevant items highlighted |
| 34             | Atlanta, Georgia conference travel ( Women in Municipal Government): Conference itinerary, listing of all cost incurred, corresponding CAL-Card statements, and hotel receipts        |
| 35             | Atlanta, Georgia conference travel ( Women in Municipal Government): Listing of questioned costs, Omni hotel receipt, and detailed meal receipts provided                             |
| 36             | Hilo, Hawaii (grant writing class): listing of all cost incurred, corresponding CAL-Card statement, and hotel receipt                                                                 |
| 37             | Hilo, Hawaii (grant writing class): listing of questioned cost, and hotel receipt                                                                                                     |
| 38             | Hilo, Hawaii (Grant writing class): schedule of available grant writing classes. Classes in California are highlighted in yellow                                                      |
| 39             | Seattle, Washington (YEO conference): listing of all cost incurred, corresponding CAL-Card statement, and hotel receipt                                                               |
| 40             | Seattle, Washington (YEO conference): listing of questioned cost, flight itinerary, and hotel receipts                                                                                |
| 41             | Listing of all expenses that exceeded City policy limits                                                                                                                              |

| Exhibit Number | Exhibit Description                                                                                                                                                     |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 42             | Listing of all expenses that exceeded City policy limits - Council Member Jones                                                                                         |
| 43             | Text communication between Mr. Malin and Council Member Jones re: charging in-town meal to CAL-Card                                                                     |
| 44             | Travel reimbursement request completed by Council Member Jones                                                                                                          |
| 45             | Listing of all expenses that exceeded City policy limits - Mayor Pro Tem Alexander                                                                                      |
| 46             | Listing of all expenses that exceeded City policy limits - Council Member Campbell                                                                                      |
| 47             | Support for car rental not used - Council Member Jones                                                                                                                  |
| 48             | Listing of Registration and Airfare not used - Council Member Jones                                                                                                     |
| 49             | Support for airfare not used - Council Member Jones                                                                                                                     |
| 50             | Support for Airbnb and Airfare not used - Council Member Jones                                                                                                          |
| 51             | Listing of transactions for which no receipt was provided - Council Member Jones                                                                                        |
| 52             | Listing of transactions for which no receipt was provided and no other documentation or explanation was provided- Council Member Jones                                  |
| 53             | Emails - 5/1/18, 7/16/18, and 8/16/18 re: Ms. Hodgson's requests for Council Member Jones to provide receipts                                                           |
| 54             | Email: 10/19/18 re: Ms. Greathouse's request for Council Member Jones to provide receipts                                                                               |
| 55             | Ms. Greathouse's email to CLA informing that Council Member Jones will attend 11/28/18 interview by phone                                                               |
| 56             | Listing of transactions without receipts sent to Council Member Jones by CLA                                                                                            |
| 57             | Expenses for which no receipt was provided - Mayor Rubio                                                                                                                |
| 58             | Expenses for which no receipt was provided - Mayor Pro Tem Alexander                                                                                                    |
| 59             | No reimbursement to the City for guest expense - Mayor Rubio                                                                                                            |
| 60             | Copy of payment to the City by Mayor Rubio                                                                                                                              |
| 61             | No reimbursement to the City for guest expense - Mayor Pro Tem Alexander                                                                                                |
| 62             | Copy of payment to the City by Mayor Pro Tem Alexander                                                                                                                  |
| 63             | Support for payment to Political Action Committee                                                                                                                       |
| 64             | Support for unallowed expense - Gasoline                                                                                                                                |
| 65             | Support for unallowed expense - Insurance                                                                                                                               |
| 66             | Support for itemized receipts not provided - Council Member Jones                                                                                                       |
| 67             | Support for itemized receipts not provided - Mayor Pro Tem Alexander                                                                                                    |
| 68             | Example of expense reimbursement processed without the use of a standard <i>Travel Reimbursement</i> form                                                               |
| 69             | Example of - sufficient information was not included with travel expenses to allow easy identification of the business purpose                                          |
| 70             | listing of reimbursements for which support was not retained for reimbursements by Council Members to the City                                                          |
| 71             | Listing of original expense and listing of stipend deductions for which no expense adjustment (abatement) was recorded for reimbursement to the City by Council Members |
| 72             | Listing of all Family Care Reimbursement to Council Member Jones - Includes copies of checks and related requests                                                       |
| 73             | Email - 6/12/18 re: receipts for childcare                                                                                                                              |
| 74             | Email - 12/3/18 - Council Member Jones email to CLA                                                                                                                     |
| 75             | Email - 12/4/18 - Mr. Malin emailed CLA the notes he took of the conversation with Council Member Jones on 12/3/18                                                      |
| 76             | Schedules provided to CLA by Council Member Jones related to Family Care Reimbursements                                                                                 |
| 77             | Email - 12/14/18 - Council Member Jones email to CLA re: using thousands of dollars from her family safe to pay for childcare                                           |
| 78             | Email - 12/14/18 - Council Member Jones email to CLA re: receiving cash from Ms. Saleh and paying Ms. Saleh with a Venmo transaction                                    |
| 79             | Email - 9/6/18 - Ms. Hodgson informed Council Member Jones that City cannot pay a duplicate <i>Family Care Reimbursement</i> request                                    |
| 80             | 6/21/18 <i>Family Care Reimbursement</i> request                                                                                                                        |
| 81             | 6/21/18 City Council meeting minutes                                                                                                                                    |
| 82             | 8/16/18 <i>Family Care Reimbursement</i> request                                                                                                                        |
| 83             | 8/16/18 City Council meeting minutes                                                                                                                                    |



## **CITY OF SEASIDE STAFF REPORT**

**Item No.: 9.C.**

**TO:** City Council

**FROM:** Craig Malin, City Manager

**BY:** Scott Ottmar, Senior Engineer

**DATE:** March 21, 2019

**SUBJECT: APPROVE DESIGN FOR A PHOTOVOLTAIC PARKING CANOPY PROJECT AT CITY HALL, APPROPRIATE \$246,000 FROM CAPITAL RESERVE FUND AND APPROVE FISCAL YEAR 2018/2019 BUDGET AMENDMENT IN THE AMOUNT OF \$723,000 FOR CONSTRUCTION OF THE PROJECT**

---

### **PURPOSE & RECOMMENDATION**

The City Council should consider approving the design for a photovoltaic parking canopy project (Solar Project); appropriate \$246,000 from Capital Reserve fund; and approve a fiscal year 2018/2019 budget amendment in the amount of \$723,000 for construction of the project.

### **BACKGROUND**

In April 2016, the City Council approved lease purchase financing through PNC Bank for several energy saving projects. A number of projects including City Hall HVAC, Library Roof and Heating, and Fire Department Emergency Generator and Heating, have been completed with part of the financing. A photovoltaic energy project (Solar Project) is also to be funded with the lease purchase financing.

The goals of the Solar Project were to develop the most cost effective Solar Project that achieved the following outcomes:

- Visibly demonstrate the City's commitment to renewable and sustainable energy
- Move the City toward meeting California's Zero Net Energy (ZNE) goal of 50% of non-residential building retrofitted to meet ZNE by 2030.
- Reduce City Hall annual operating costs

On July 5th, 2018, the City's energy consultant Sage Renewables (Sage) gave a presentation to the City Council discussing the results of a feasibility study that evaluated various options for constructing a Solar Project. The study included background on the methodology for evaluating Solar Projects; presented data collected and described economic model inputs and assumptions. The study considered the pros and cons of various sizes and locations of a Solar Project at City Hall. Key conclusions of the study are summarized as follows:

- A Solar Project represents an investment, not revenue
- Benefits may be worth the investment by moving the City toward meeting ZNE and providing local green jobs
- Approximately 60% of the City Hall electricity usage could be offset with a Solar Project with a construction budget of \$690,000

Upon careful consideration of the options assessed by the study and taking comment from engaged residents, the Council directed staff to proceed with design of a Solar Project with a budget of up to \$690,000 that would generate approximately 60% of the current City Hall electrical energy demand.

On February 15, 2019, Sage submitted 90% design plans for construction of a Solar Project (Attachment 1). The design proposes construction of two parking canopies situated at the east end of the City Hall parking lot. The system has a nominal size of 400 watts and includes 240 individual solar panels that can provide a peak power generation of 72 kW. Each canopy would measure 79 feet long by 33 feet wide with minimum height of 12 feet on the low side and 15 feet on the high side. The current electric vehicle charging stations will be relocated beneath the canopy to allow for additional ADA parking space to serve City Hall. The design includes infrastructure to accommodate future installation of additional EV charging stations near the proposed solar canopies as shown on Sheet G-100 of Attachment 1.

On March 6, 2019, the Board of Architectural Review received and approved the project construction drawings.

## **ENVIRONMENTAL DETERMINATION**

Public Resources Code (PRC) Section 21080.35 statutorily exempts from CEQA analysis the installation of solar energy systems on the roof of an existing building or at an existing parking lot.

Evidence from PRC Section 21080.35;

(c) Associated Equipment

(c) (1). Equipment will be mounted to the carport structures. Other than the proposed structures, associated electrical equipment will be contained within the boundaries of

the City Hall/Library parking lots and/or will be adjacent to existing buildings. Wiring from the photovoltaic structures will be routed underground to the main electrical service panel at the site.

## **FISCAL IMPACT**

The engineer's estimate of probable cost to construct the Solar Project is \$510,000. Projects that involve improvements to older infrastructure such as City Hall parking lot carry a significant degree of construction uncertainty. Additionally, the project involves coordination with the private utility Pacific Gas and Electric (PG&E) and the fees that PG&E may assess are difficult to estimate. For these reasons, establishing a contingency budget of approximately 20%, or \$100,000 is prudent.

On April, 19, 2018, the council approved a feasibility and design contract in the amount of \$79,800 with Sage. The contract did not include design support during construction (DSDC). Approximately \$15,000 of the contract was spent during fiscal year 2017/2018, with the balance of the contract, or \$65,000, to be spent during fiscal year 2018/2019. Sage has provided a proposal for DSDC in the amount of \$48,000. The project budget is summarized in table 1 below.

Table 1. Project Budget Summary (rounded to nearest \$1,000)

| Item     | Description                                  | Estimated Total Budget | 2017/2018 Expenditures | 2018/2019 Budget Request |
|----------|----------------------------------------------|------------------------|------------------------|--------------------------|
| 1.       | Design, Construction Management & Permitting | \$80,000               | \$15,000               | \$65,000                 |
| 2.       | Construction Estimate                        | \$510,000              |                        | \$510,000                |
| 3.       | DSDC, surveying, staking, testing            | 48,000                 |                        | 48,000                   |
| Subtotal |                                              | \$638,000              |                        | \$623,000                |
| 4.       | Contingency                                  | \$100,000              |                        | \$100,000                |
| Total    |                                              | \$738,000              |                        | \$723,000                |

There is approximately \$477,000 available through the City's PNC Bank Lease/Purchase Agreement. This funding was earmarked for a Solar Panel Project. The principal and interest payments to pay the lease/purchase agreement debt service will be programmed into future annual budgets. The remaining balance of \$246,000 is proposed to be funded from the Capital Reserve Fund.

It is recommended to approve the design of a Solar Project and direct the finance department to amend the fiscal year 2018/2019 budget to appropriate \$723,000 for

construction of the Solar Project with \$477,000 funding from PNC Bank Lease/Purchase Agreement and \$246,000 funded from the Capital Reserve fund. The contract amendment with Sage Renewables for DSDC will be brought to the council at the time a construction contract is submitted for consideration.

### **ATTACHMENTS**

1. Construction Drawings
  2. Resolution
- 

Reviewed for Submission to the  
City Council by:



---

Craig Malin, City Manager



CITY OF SEASIDE  
72kWAC SOLAR CANOPIES  
440 HARCOURT AVE, SEASIDE, CA 93955

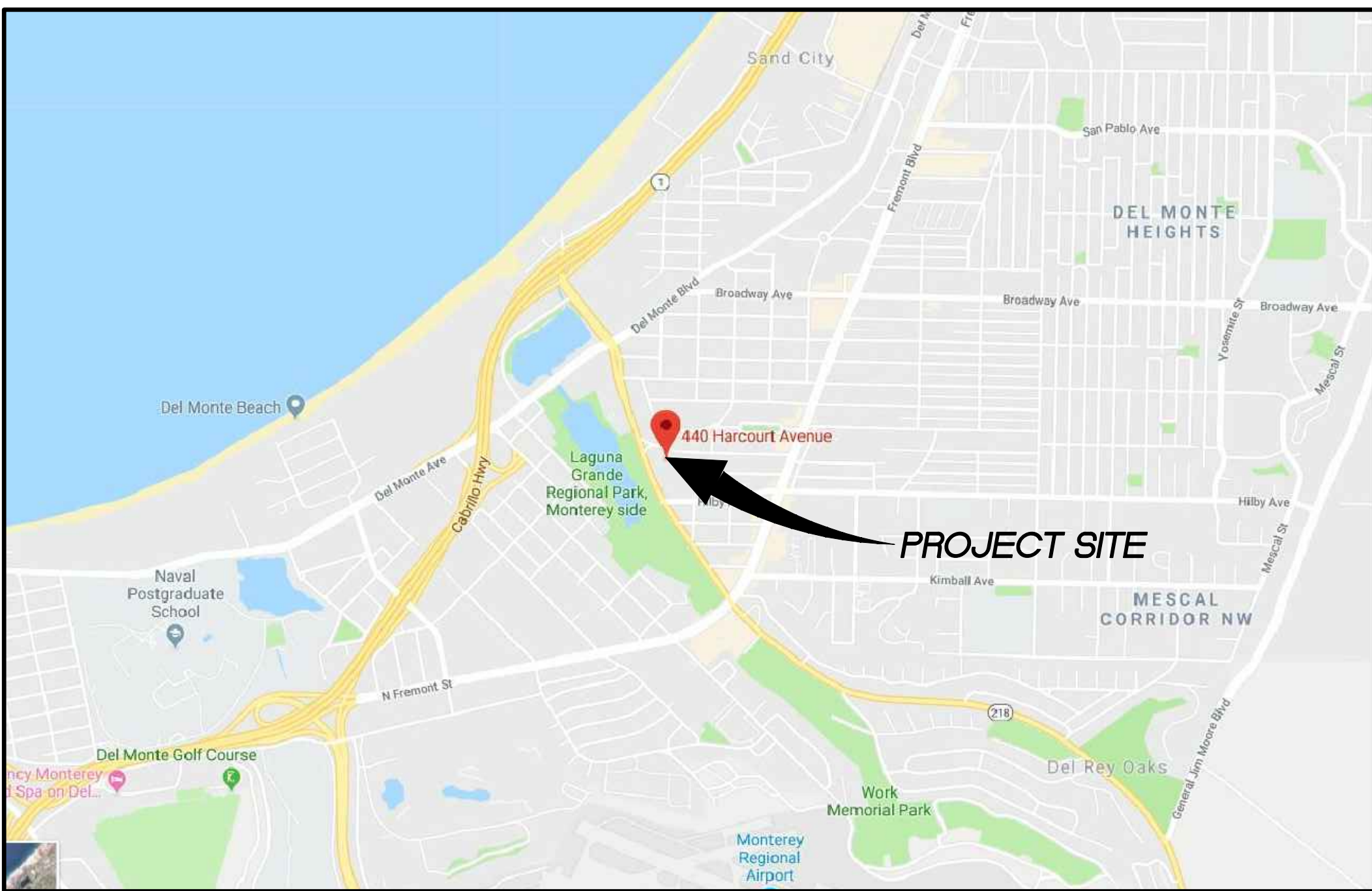


CONSULTANT

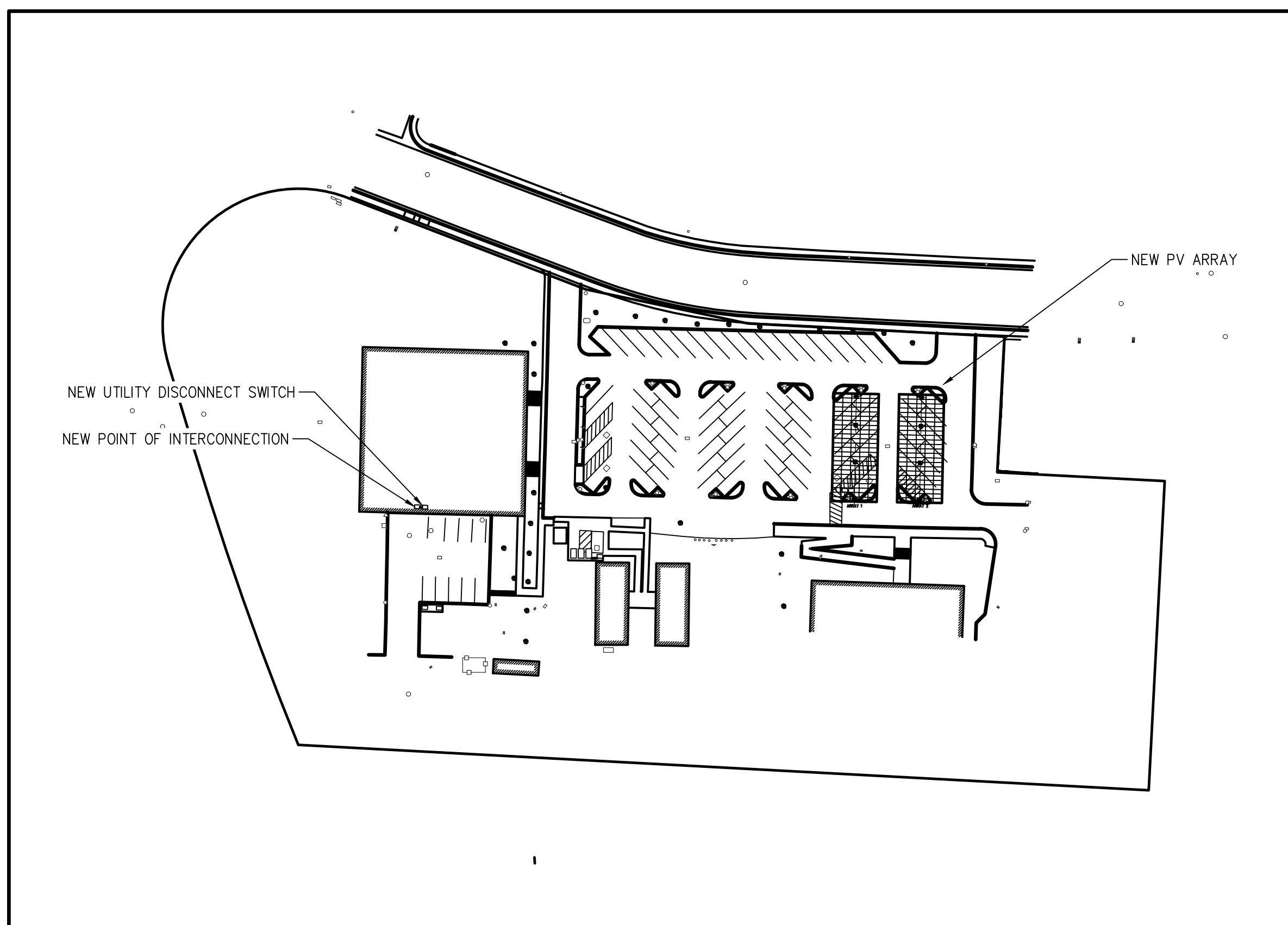
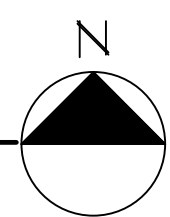


STAMP/SEAL

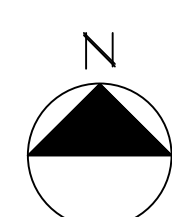
| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |



VICINITY MAP  
SCALE: NTS



SITE PLAN  
SCALE: 1" = 80'-0"



| BLYMYER DRAWING LIST                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |             | SCOPE OF WORK                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CS-1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | COVER SHEET | INSTALLATION OF CANOPY PV SYSTEM (72kWAC), INSTALLATION OF TWO ELECTRIC VEHICLE CHARGING STATIONS, AND RELOCATION OF TWO ELECTRIC VEHICLE CHARGING STATION.                                                                                                               |
| G-100.0 PHOTOVOLTAIC OVERALL SITE PLAN<br>G-101.0 PHOTOVOLTAIC ARRAY SITE PLAN<br>E-1.0 GENERAL ELECTRICAL NOTES AND SYMBOLS<br>E-2.0 ONE-LINE DIAGRAM<br>E-3.0 PHOTOVOLTAIC ARRAY ELECTRICAL SITE PLAN<br>E-3.1 PHOTOVOLTAIC ARRAY ELECTRICAL ARRANGEMENT<br>E-4.0 WIRING DIAGRAM<br>E-4.1 WIRING & PANEL SCHEDULE<br>E-5.0 PHOTOVOLTAIC ARRAY LIGHTING PLAN<br>E-6.0 TITLE 24 COMPLIANCE OUTDOOR LIGHTING<br>E-6.1 TITLE 24 COMPLIANCE OUTDOOR LIGHTING<br>E-7.0 GROUNDING DETAILS<br>E-7.1 ELECTRICAL DETAILS<br>E-7.2 DATA ACQUISITION SYSTEM<br>E-9.0 ELECTRICAL SIGNS<br>E-10.0 ELECTRICAL EQUIPMENT<br>S-1 TYPICAL PHOTOVOLTAIC ARRAY "T" STRUCTURES<br>S-1W TYPICAL PHOTOVOLTAIC ARRAY "T" STRUCTURES<br>S-2 FOUNDATION DETAILS<br>S-3 PURLIN CONNECTION, BLOCKING AND TOP CONNECTIONS DETAILS<br>S-4 TYPE 2 - TYPICAL SOLAR MODULE ATTACHMENT, TYPICAL SOLAR MODULE, AND ZEE DETAIL<br>S-P CONTAINER PAD |             | ENGINEERS OF RECORD<br>STANISLAV GORBIS - PE LICENSE #C81928<br>BENJAMIN LIU - PE LICENSE #E21280                                                                                                                                                                         |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             | KEY PROJECT CONTACT INFORMATION<br>BLYMYER ENGINEERS<br>STAS GORBIS, PROJECT MANAGER<br>1101 MARINA VILLAGE PARKWAY, SUITE 100<br>ALAMEDA, CA 94501<br>(510) 521-3773                                                                                                     |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |             | CODES AND STANDARDS<br>ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING CODES AND STANDARDS, OR THEIR CURRENT EDITIONS, ALONG WITH ALL LOCAL AND STATE CODES:<br><br>2016 CALIFORNIA ELECTRICAL CODE<br>2016 CALIFORNIA BUILDING CODE<br>2016 CALIFORNIA FIRE CODE |

| SYSTEM SUMMARY            |                    |
|---------------------------|--------------------|
| PROJECT LOCATION          | SEASIDE, CA        |
| DESIGN TEMPERATURE (MIN.) | -1°C               |
| STRING SIZE               | 15                 |
| MODULE TYPE               | LG                 |
| MODULE WATTAGE            | 400W               |
| MODULE QTY.               | 240                |
| INVERTER                  | SOLECTRIA PVI-36TL |
| INVERTER QTY.             | 2                  |
| SYSTEM SIZE (AC)          | 72 kWAC            |
| SYSTEM SIZE (DC)          | 96 kWDC            |

| PROJECT PARAMETERS |        |          |            |         |      |                  |
|--------------------|--------|----------|------------|---------|------|------------------|
| ARRAY              | PANELS | #STRINGS | POWER (kW) | AZIMUTH | TILT | DIMENSIONS       |
| 1                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" |
| 2                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" |
| TOTAL              | 120    | 8        | 96.00      |         |      |                  |

COVER SHEET

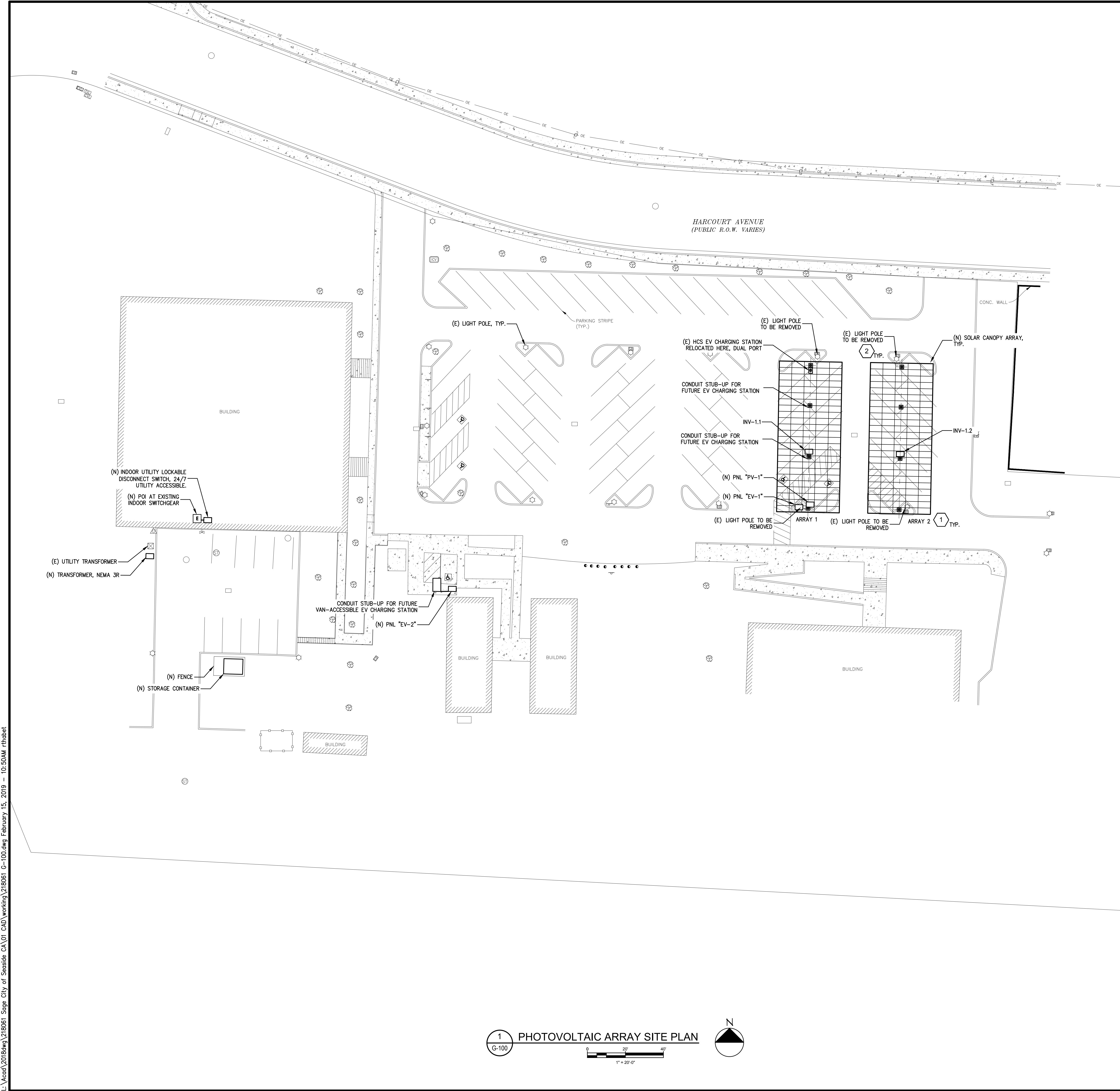
|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: CVV      | SCALE: AS SHOWN |
| SHEET NUMBER    |                 |

CS-1

PRELIMINARY



L:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 G-100.dwg February 15, 2019 - 10:50AM rthabet



| SYSTEM SUMMARY            |                    |
|---------------------------|--------------------|
| PROJECT LOCATION          | SEASIDE, CA        |
| DESIGN TEMPERATURE (MIN.) | -1°C               |
| STRING SIZE               | 15                 |
| MODULE TYPE               | L6                 |
| MODULE WATTAGE            | 400W               |
| MODULE QTY.               | 240                |
| INVERTER                  | SOLECTRIA PVI-36TL |
| INVERTER QTY.             | 2                  |
| SYSTEM SIZE (AC)          | 72 KWAC            |
| SYSTEM SIZE (DC)          | 96 kWDC            |

| PROJECT PARAMETERS |        |          |            |         |      |                  |             |
|--------------------|--------|----------|------------|---------|------|------------------|-------------|
| ARRAY              | PANELS | #STRINGS | POWER (kW) | AZIMUTH | TILT | DIMENSIONS       | COLUMN QTY. |
| 1                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" | 4           |
| 2                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" | 4           |
| TOTAL              | 120    | 8        | 96.00      |         |      |                  |             |

- KEYED NOTES**
- CANOPIES PLACED IN PARKING LOTS SHALL BE CLEARLY LABELED WITH MAX CLEARANCE FOR VEHICLES AT THE LOW POINTS. LABELS SHALL BE RATED FOR LONG-TERM UV EXPOSURE WITH LIFETIME TO MATCH WARRANTIES SPECIFIED FOR PV PANELS IN SECTION 26 60 00. MINIMUM LABELING ALONG THE LONG AXIS OF THE LOW-SIDE OF THE CARPORT SHALL BE EVERY 50 FEET OF CANOPY OR 3 LABELS, WHICHEVER IS GREATER. LABELING SHALL ALSO INCLUDE THE EXTERIOR CORNER OF EACH CANOPY WITHIN A PARKING LOT. LABEL SHOULD BE EASILY VISIBLE FROM A VEHICLE.
  - EXISTING POLE MOUNTED LIGHTING IN AREAS OF NEW CARPORT CANOPIES SHALL BE REMOVED. MODIFY OTHER EXISTING LIGHTING TO COORDINATE WITH THE NEW WORK AND DESIGN, INCLUDING RECONNECTION OF ANY EXISTING DOWNSTREAM CIRCUITING AND CONTROLS TO REMAIN. FOUNDATIONS OF EXISTING POLE MOUNT LIGHTING ARE TO BE COMPLETELY REMOVED A MINIMUM OF 6-INCHES BELOW GRADE, WITH GRADE RESTORED TO SURROUNDING CONDITION AND DEMO'D MATERIAL REMOVED AND DISPOSED OF BY CONTRACTOR.



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

PHOTOVOLTAIC ARRAY  
SITE PLAN

|                 |                    |
|-----------------|--------------------|
| JOB NO.: 218061 | PROJECT MGR: SG    |
| DRAWN: CVV      | SCALE: 1" = 20'-0" |
| SHEET NUMBER    |                    |

G-100.0

**PRELIMINARY**



HARCOURT AVENUE  
(PUBLIC R.O.W. VARIES)

PARKING STRIPE  
(TYP.)

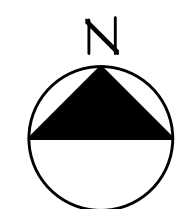
LOW SIDE OF  
CANOPY

CONC. WALL

ARRAY 1

ARRAY 2

1 PHOTOVOLTAIC ARRAY GENERAL ARRANGEMENT  
G-100 SCALE: 1" = 10' - 0"



| SYSTEM SUMMARY            |                    |
|---------------------------|--------------------|
| PROJECT LOCATION          | SEASIDE, CA        |
| DESIGN TEMPERATURE (MIN.) | -1°C               |
| STRING SIZE               | 15                 |
| MODULE TYPE               | L6                 |
| MODULE WATTAGE            | 400W               |
| MODULE QTY.               | 240                |
| INVERTER                  | SOLECTRIA PVI-36TL |
| INVERTER QTY.             | 2                  |
| SYSTEM SIZE (AC)          | 72 KWAC            |
| SYSTEM SIZE (DC)          | 96 KWDC            |

| PROJECT PARAMETERS |        |          |            |         |      |                  |             |
|--------------------|--------|----------|------------|---------|------|------------------|-------------|
| ARRAY              | PANELS | #STRINGS | POWER (kW) | AZIMUTH | TILT | DIMENSIONS       | COLUMN QTY. |
| 1                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" | 4           |
| 2                  | 120    | 8        | 48.00      | 275°    | 5°   | 79'-2" X 32'-12" | 4           |
| TOTAL              | 120    | 8        | 96.00      |         |      |                  |             |

GENERAL NOTES

- CANOPIES PLACED IN PARKING LOTS SHALL BE CLEARLY LABELED WITH MAX CLEARANCE FOR VEHICLES AT THE LOW POINTS. LABELS SHALL BE RATED FOR LONG-TERM UV EXPOSURE WITH LIFETIME TO MATCH WARRANTIES SPECIFIED FOR PV PANELS IN SECTION 26 60 00. MINIMUM LABELING ALONG THE LONG AXIS OF THE LOW-SIDE OF THE CARPORT SHALL BE EVERY 50 FEET OF CANOPY OR 3 LABELS, WHICHEVER IS GREATER. LABELING SHALL ALSO INCLUDE THE EXTERIOR CORNER OF EACH CANOPY WITHIN A PARKING LOT. LABEL SHOULD BE EASILY VISIBLE FROM A VEHICLE.



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

PHOTOVOLTAIC ARRAY  
GENERAL ARRANGEMENT

|                 |                      |
|-----------------|----------------------|
| JOB NO.: 218061 | PROJECT MGR: SG      |
| DRAWN: CVV      | SCALE: 1" = 10' - 0" |
| SHEET NUMBER    |                      |

G-101.0

PRELIMINARY



## GENERAL NOTES

1. AT ALL TIMES THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITION OF JOB SITE INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY AND FOR ALL NECESSARY INDEPENDENT ENGINEERING CALCULATIONS. THE ENGINEERS JOB SITE REVIEW IS NOT INTENDED TO INCLUDE REVIEW OF THE ADEQUACY OF THE CONTRACTORS SAFETY MEASURES.
2. THE CONTRACTOR SHALL MAKE AN EXAMINATION OF THE SITE AND COMPARE THE SITE WITH THE DRAWINGS AND SPECIFICATIONS AND SATISFY HIMSELF AS TO CONDITIONS UNDER WHICH WORK IS TO BE PERFORMED. THE CONTRACTOR SHALL ASCERTAIN AND CHECK THE LOCATIONS OF ANY EXISTING STRUCTURES OR EQUIPMENT WHICH MAY AFFECT WORK THAT HAS TO BE PERFORMED, NO ALLOWANCE SHALL SUBSEQUENTLY BE MADE IN CONTRACTOR'S BEHALF FOR ANY EXPENSE TO WHICH THE CONTRACTOR MAY BE PUT DUE TO FAILURE OR NEGLECT BY CONTRACTOR TO MAKE SUCH EXAMINATION.
3. ALL WORK SHALL BE COORDINATED WITH THE OWNER TO MAINTAIN CONTINUITY OF SERVICE AND MAXIMUM UTILIZATION OF THE OWNERS FACILITY.
4. THE CURRENT ISSUE OF ALL NFPA, IBC, IFB, ANSI, OSHA, ASTM, NEMA, AND OTHER NATIONALLY PUBLISHED CODES OR STANDARDS SHALL APPLY TO THIS WORK UNLESS LOCAL JURISDICTION SUPERSEDES. THE MOST STRINGENT CODES SHALL APPLY.
5. NOTHING IN THE DRAWINGS OR SPECIFICATIONS IS INTENDED TO ALLOW A VIOLATION OF ELECTRICAL WORKING SPACE AROUND ELECTRICAL EQUIPMENT REQUIREMENT. ANY DEVIATION FROM THIS REQUIREMENT SHALL BE APPROVED IN WRITING BY THE ENGINEER. THE CONTRACTOR SHALL RELOCATE ANY EQUIPMENT IN VIOLATION OF THE ELECTRICAL CODE AT HIS OWN COST.
6. PROVIDE PHENOLIC NAMEPLATE WITH WHITE LETTERING ON BLACK BACKGROUND FOR EACH ELECTRICAL EQUIPMENT. PROVIDE PERMANENT MEANS OF ATTACHMENT THAT WILL NOT VIOLATE NEMA RATING OR EQUIPMENT WARRANTY.
7. REFER TO THE DRAWINGS FOR LOCATIONS AND SPACE REQUIREMENTS OF ELECTRICAL EQUIPMENT. COORDINATE THE INSTALLATION OF ELECTRICAL EQUIPMENT WITH OTHER TRADES.
8. POWER FEEDERS MAY NOT BE SHOWN ON THE DRAWINGS. REFER TO THE SINGLE LINE DIAGRAM FOR FEEDER INFORMATION.
9. CONTRACTOR SHALL SECURE AND PAY FOR ELECTRICAL TRADE SPECIFIC CONSTRUCTION PERMITS, LICENSES, GOVERNMENTAL AND INSPECTION FEES NECESSARY FOR THE EXECUTION OF THE WORK, UNLESS OTHERWISE DIRECTED.
10. ELECTRICAL CONTRACTOR SHALL PROVIDE COMPLETE ELECTRICAL INSTALLATION IN ACCORDANCE WITH ESTABLISHED TECHNIQUES AND ACCEPTED PRACTICES AND ALL LOCAL, STATE, AND NATIONAL CODES HAVING JURISDICTION.
11. ELECTRICAL REQUIREMENTS SUCH AS CONDUIT ROUTING AND LOCATIONS OF ELECTRICAL DEVICES (RECEPTACLES, SWITCHES, FLOOR OUTLETS, CONDUIT STUDS, ETC.) SHOWN ON THESE PLANS ARE DIAGRAMATIC AND SUBJECT TO VERIFICATION BY ELECTRICAL CONTRACTOR FOR THE INTERFACING OF THE ELECTRICAL WORK WITH THE INSTALLATION. CONTRACTOR SHALL MAKE FIELD ADJUSTMENTS TO CLEAR THE OTHER FACILITIES EXCEPT AS SHOWN DIMENSIONED ON THE ARCHITECTURAL DRAWINGS OR AS APPROVED BY THE ARCHITECT.
12. ELECTRICAL EQUIPMENT SHOWN OR SPECIFIED FOR THIS PROJECT HAS BEEN GENERALLY SELECTED BASED ON DIMENSIONS TO FIT THE SPACE. THE CONTRACTOR SHALL VERIFY EQUIPMENT DIMENSIONS AND/OR ANY INTERFERENCES PRIOR TO ORDERING THE EQUIPMENT.
13. MANUFACTURER'S RECOMMENDATIONS FOR CONDUCTOR SIZING, CIRCUIT BREAKER OR FUSE RATING OF ELECTRICALLY OPERATED EQUIPMENT MAY DIFFER FROM THOSE INDICATED ON DRAWINGS. CONTRACTOR SHALL CONFIRM RATINGS PRIOR TO ORDERING EQUIPMENT.
14. CONTRACTOR SHALL REVIEW THE MECHANICAL AND PLUMBING DRAWINGS IF APPLY, AND CONNECT ELECTRICALLY OPERATED EQUIPMENT UNLESS OTHERWISE NOTED. COORDINATE THE LOCATION AND ELECTRICAL CONNECTION REQUIREMENTS PRIOR TO ORDERING OF ELECTRICAL AND MECHANICAL EQUIPMENT.
15. CONTRACTOR SHALL REVIEW THE SECTIONS OF EACH DIVISION OF THE SPECIFICATION (WHERE APPROPRIATE) AND PROVIDE CONNECTIONS TO ELECTRICALLY OPERATED EQUIPMENT AS MAY BE SPECIFIED THEREIN.
16. ALL CONDUIT ONLY (CO) NOTED SHALL HAVE PULL ROPES OR WIRES INSTALLED, TENSILE STRENGTH MINIMUM OF 200 FT/LBS.
17. COORDINATE ALL UT PULLBOX LOCATIONS WITH THE CIVIL AND LANDSCAPE PLANS. REPORT AND RESOLVE ANY DISCREPANCIES PRIOR TO START OF WORK.
18. ALL ELECTRICAL MATERIALS AND EQUIPMENT SHALL BE CONTROL BY UNDERWRITER'S LABORATORIES OR OTHER APPROVED NRTL, AND SHALL BEAR THEIR LABEL. ALL LISTED PANELS SHALL BE SO LISTED AS AN ASSEMBLY.
19. ELECTRICAL EQUIPMENT AND FEEDERS SHALL BE SUPPORTED AND/OR ANCHORED IN ACCORDANCE WITH CBC SEISMIC REQUIREMENTS. DO NOT SUPPORT CONDUITS FROM MECHANICAL DUCTS, PLUMBING, PIPING, OR EQUIPMENT OF ANY KIND.
20. THE CONTRACTOR SHALL FURNISH ALL LABOR, MATERIALS, FEES AND EQUIPMENT SPECIFIED. INDICATED OR IMPLIED IN THESE DOCUMENTS TO ACCOMPLISH THE CONSTRUCTION IN A PROFESSIONAL, WORKMANLIKE MANNER. ANY DISCREPANCIES BETWEEN THE CONSTRUCTION TASKS INDICATED AND LOCAL CODES AND/OR ORDINANCES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE GENERAL CONTRACTOR AND/OR OWNER FOR RESOLUTION BEFORE PROCEEDING WITH THE WORK AT ISSUE.
21. THE CONTRACTOR SHALL CONSULT THE MECHANICAL, STRUCTURAL, AND OTHER DRAWINGS AND DOCUMENTATION RELATED TO THE PROJECT FOR ADDITIONAL WORK TO BE PROVIDED.
22. THE OWNER RETAINS FIRST SALVAGE RIGHTS TO ALL EXISTING EQUIPMENT REMOVED UNDER THIS CONTRACT. THE ELECTRICAL CONTRACTOR SHALL CONSULT WITH THE OWNER FOR DISPOSITION OF THE EXISTING EQUIPMENT TO BE REMOVED.
23. ANY WORK INSTALLED INCORRECTLY, OR BEFORE APPROVAL HAS BEEN OFFICIALLY GRANTED FOR THOSE ITEMS AT ISSUE, SHALL BE CORRECTED BY THE ELECTRICAL CONTRACTOR AT NO CHARGE TO OWNER/ARCHITECT/CLIENT.
24. ALL MATERIALS AND EQUIPMENT FURNISHED BY THE CONTRACTOR SHALL BE NEW AND COMPLETELY SERVICEABLE UNLESS OTHERWISE SPECIFIED.
25. CONTRACTOR SHALL COORDINATE ROUGH-IN AND FINAL CONNECTION REQUIREMENTS WITH THE OWNER, EQUIPMENT SUPPLIERS, GENERAL CONTRACTOR AND OTHER BUILDING TRADES BEFORE PROCEEDING WITH ANY FURTHER RELATED WORK. INSTALLATIONS SHALL BE IN FULL ACCORDANCE WITH EQUIPMENT MANUFACTURER'S RECOMMENDATIONS AND REQUIRED CODES. CONFLICTS AND INTERFERENCES SHALL BE RESOLVED IMMEDIATELY, BEFORE ANY INSTALLATION BEGINS.
26. FINAL ACCEPTANCE OF WORK IN PLACE SHALL BE SUBJECT TO APPROVAL BY OWNER'S REPRESENTATIVE AND ARCHITECT/ENGINEER. INSTALLATION APPROVAL SHALL BE BASED ON APPROVED SUBMITTALS, SHOP DRAWINGS AND LOCAL INSPECTION.
27. CONTRACTOR SHALL SUBMIT "FOR RECORD" MARKUP DRAWINGS WITHIN TWO (2) WEEKS AFTER DATE OF NOTIFICATION OF FINAL APPROVAL OF WORK-IN-PLACE. CONTRACTOR'S FINAL INVOICE WILL NOT BE PAID WITHOUT COMPLETE DOCUMENTATION.
28. CONTRACTOR SHALL WARRANT ALL WORKS FOR A PERIOD OF ONE (1) YEAR FROM DATE OF ACCEPTANCE OF WORK-IN-PLACE. CONTRACTOR SHALL REPAIR OR REPLACE ANY DEFECTIVE WORK, INCLUDING MATERIALS AND EQUIPMENT AT NO ADDITIONAL COST TO THE OWNER WITHIN WARRANTY PERIOD.
29. THE CONTRACTOR SHALL PROVIDE ALL FUSES AND OVERLOAD HEATER ELEMENTS REQUIRED FOR THIS CONTRACT INSTALLATION INCLUDING ANY FUSES BLOWN DURING INITIAL TESTING. CONTRACTOR TO PROVIDE SPARE FUSES (2) OF EACH TYPE.
30. ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGES TO ALL WALLS, FLOORS AND PAVING. IF DAMAGE OCCURS DURING CONSTRUCTION, ELECTRICAL CONTRACTOR SHALL COORDINATE WITH OWNER TO PATCH, PAINT AND REPAIR TO MATCH EXISTING CONDITIONS.
31. CONDUIT AND WIRE SCHEDULE FOR NEW EQUIPMENT ARE GENERALLY INDICATED. CONTRACTOR SHALL REFER TO MANUFACTURER AND SUPPLIER OF EQUIPMENT FOR DETAILED WIRING DIAGRAM AND VERIFY THE EXACT ROUTING AND CONDUCTOR SIZE.
32. THE CONTRACTOR SHALL REFER TO MANUFACTURER AND SUPPLIER OF ELECTRICAL CONTROL EQUIPMENT FOR EXACT WIRING INTERCONNECTION.
33. ALL WIRING SHALL BE COPPER STRANDED ONLY, AND HAVE INSULATION TEMPERATURE RATING NOT LESS THAN 90C, UNLESS OTHERWISE NOTED.
34. IDENTIFICATION OF GROUNDED CONDUCTORS SHALL BE IN ACCORDANCE WITH NEC 200.6. IDENTIFICATION OF EQUIPMENT GROUNDING CONDUCTORS SHALL BE IN ACCORDANCE WITH NEC 250.119. IDENTIFICATION OF UNGROUNDED CONDUCTORS SHALL BE IN ACCORDANCE WITH NEC 210.5(C) AND SHALL BE IDENTIFIED BY THE FOLLOWING COLORED INSULATION, MARKING TAP, OR TAGGING AS FOLLOWS:
- | SYSTEM  | 480Y/277V | 208Y/120V | 120/240V 1-PHASE |
|---------|-----------|-----------|------------------|
| PHASE A | BROWN     | BLACK     | BLACK (LINE 1)   |
| PHASE B | ORANGE    | RED       | RED (LINE 2)     |
| PHASE C | YELLOW    | BLUE      |                  |
- | PV OUTPUT CIRCUIT | NEGATIVE GROUNDED SYSTEM | UNGROUND SYSTEM |
|-------------------|--------------------------|-----------------|
| POSITIVE (+)      | RED                      | RED             |
| NEGATIVE (-)      | PER 200.6                | BLACK           |
- | PV SOURCE CIRCUIT | NEGATIVE GROUNDED SYSTEM | UNGROUND SYSTEM |
|-------------------|--------------------------|-----------------|
| POSITIVE (+)      | RED                      | RED             |
| NEGATIVE (-)      | PER 200.6                | BLACK           |
35. USE WIRE IDENTIFICATION COLOR CODE PER SPECIFICATIONS BELOW.
- | COLOR    | DESCRIPTION                                                      |
|----------|------------------------------------------------------------------|
| LT. BLUE | INTRINSICALLY SAFE CIRCUITS                                      |
| GREEN    | EQUIPMENT GROUNDING CONDUCTOR                                    |
| YELLOW   | CONTROL CIRCUITS SUPPLIED FROM EXTERNAL POWER SOURCE, INTERLOCKS |
36. MEDIUM VOLTAGE CABLE MARKINGS SHALL UTILIZE COLORED CONDUCTOR TAPE FOR ALL PHASES: YELLOW COLORED; SELF-ADHESIVE VINYL TAPE NOT THICKER THAN 5 MILS THICK BY 1 INCH WIDE. 1 STROKE FOR THE A PHASE CONDUCTOR, 2 STRIPES FOR THE B PHASE CONDUCTOR, 3 STRIPES FOR THE C PHASE CONDUCTOR. TAPE SHALL BE LOCATED AT ALL TERMINATIONS, SPLICES AND PULL BOXES.
37. THE ELECTRICAL ENGINEER OF RECORD SHALL PROVIDE REQUIRED SETTINGS FOR ALL ADJUSTABLE CIRCUIT BREAKERS AND RELAYS SPECIFIED IN THIS PROJECT. ARC FLASH LABELS SHALL ALSO BE PROVIDED FOR ALL NEW ELECTRICAL EQUIPMENT AS NEEDED. SETTINGS AND ARC FLASH LABELS ARE TYPICALLY SHOWN IN NEW ELECTRICAL SYSTEM STUDIES, BUT MAY INSTAD BE PROVIDED IN THE PROJECT DRAWINGS OR VIA RFI. CONTRACTOR SHALL VERIFY ALL CIRCUIT BREAKERS AND RELAY SETTINGS ARE PROVIDED AND HAVE BEEN APPLIED ONSITE. IF SETTINGS ARE NOT PROVIDED, CONTRACTOR SHALL REQUEST THEM FROM THE ENGINEER OF RECORD.
38. OUTDOOR SITE LIGHTING SHALL COMPLY WITH DARK SKY GUIDELINES.
39. TAMPER-RESISTANT RECEPTACLES SHALL BE INSTALLED IN ALL DWELLING UNITS AS REQUIRED IN NEC 408.12.
40. PROJECT IS IN COASTAL ENVIRONMENT, ALL EQUIPMENT TO BE COASTAL RATED.
41. PLEASE REFER TO THE CONSTRUCTION SPECIFICATIONS AND OTHER DOCUMENTATION PROVIDED WITH THE BID PACKAGE FOR ADDITIONAL REQUIREMENTS.

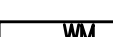
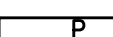
## ABBREVIATIONS

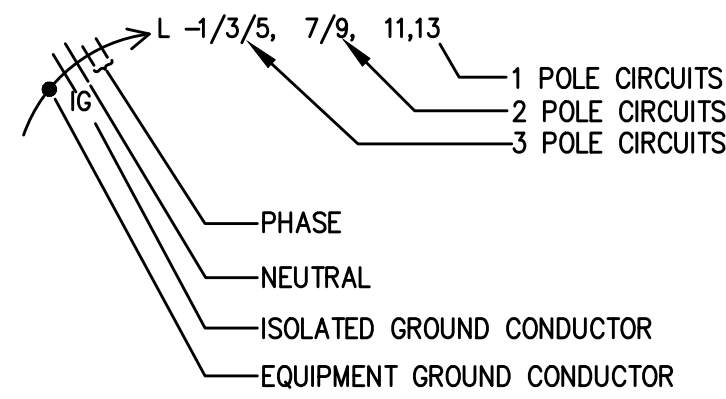
|       |      |                                  |      |                                                        |      |     |
|-------|------|----------------------------------|------|--------------------------------------------------------|------|-----|
| A     | AMPS | AMPERES                          | GFR  | GROUND FAULT RELAY                                     | PH   | PB  |
| A/C   |      | AIR CONDITIONER                  | HH   | HANDLE                                                 | PH   |     |
| AC    |      | ALTERNATING CURRENT              | HA   | HAND-OFF-AUTO                                          | POD  |     |
| AF    |      | AMPERE FRAME                     | HP   | HORSEPOWER                                             | POL  |     |
| ACC   |      | ABOVE FINISHED FLOOR             | HV   | HIGH VOLTAGE                                           | PDC  |     |
| AFG   |      | ABOVE FINISHED GRADE             | HVAC | HEATING, VENTILATION, AIR CONDITIONING                 | PDU  |     |
| AIG   |      | AMPERE INTERRUPTING CURRENT      | HZ   | HERTZ                                                  | PV   |     |
| AL    |      | ALUMINUM                         | IMC  | INTERMEDIATE METAL CONDUIT                             | PVC  |     |
| AS    |      | AMPERE SWITCH                    | ISC  | INTERRUPTING SHORT CIRCUIT                             | (R)  |     |
| AT    |      | AMPERES TRIP                     | IG   | ISOLATED GROUND                                        | (RE) |     |
| ATS   |      | AUTOMATIC TRANSFER SWITCH        | INST | INSTANTANEOUS                                          | RNC  |     |
| AWG   |      | AMERICAN WIRE GAUGE              | JB   | JUNCTION BOX                                           | (RL) |     |
| BC    |      | BARE COPPER                      | KAIC | KILO AMPERES INTERRUPTION CAPACITY                     | RTU  |     |
| BUDG  |      | BUILDING                         | KMIL | KILO CIRCULAR MILS                                     | SCA  |     |
| BMS   |      | BUILDING MANAGEMENT SYSTEM       | KV   | KILOVOLTS                                              | SCA  |     |
| CB    |      | CIRCUIT BREAKER                  | KVA  | KILOVOLT-AMPERES KW KILO WATTS                         | SCAR |     |
| CC    |      | CIRCUIT TO CENTER                | KWH  | KILO WATT-HOURS                                        |      |     |
| CK    |      | CIRCUIT                          | LCP  | LIGHTING CONTROL PANEL                                 |      | SEC |
| CL    |      | CENTER LINE                      | LSIG | LONG TIME, SHORT TIME, INSTANTANEOUS, AND GROUND FAULT |      | SPE |
| CLR   |      | CEILING                          | LGT  | LIGHTING                                               |      | STD |
| CLG   |      | CLEAR                            | MAX  | MAXIMUM                                                |      | STP |
| CO    |      | CONDUIT ONLY WITH FULL PULL ROPE | MCC  | MOTOR CONTROL CENTER                                   |      | SYM |
| CONC  |      | CONCRETE                         | MCB  | MAIN CIRCUIT BREAKER                                   |      | TB  |
| CUC   |      | COPPER                           | MCP  | MOTOR CIRCUIT PROTECTOR                                |      | TEL |
| DAS   |      | DATA ACQUISITION SYSTEM          | MFR  | MANUFACTURER                                           |      | TVS |
| DB    |      | DIRECT BURIAL                    | MH   | MANHOLE                                                |      |     |
| DC    |      | DIRECT CURRENT                   | MIN  | MINIMUM                                                |      | UP  |
| DA    |      | DIAMETER                         | MISC | MISCELLANEOUS                                          |      | TYC |
| DN    |      | DOWN                             | MLO  | MAIN LUGS ONLY                                         |      | UP  |
| DP    |      | DISTRIBUTION PANEL               | MNTD | MOUNTED                                                |      | UON |
| DWG   |      | DRAWING                          | MSB  | MAIN SWITCHBOARD                                       |      | UL  |
| ECC   |      | EQUIPMENT GROUNDING CONDUCTOR    | MSG  | MAIN SWITCHGEAR                                        |      | UPB |
| EM    |      | EMERGENCY                        | MV   | MEDIUM VOLTAGE                                         |      | UTP |
| EMT   |      | ELECTRICAL METALLIC TUBING       | MVA  | MEGA VOLT AMPERES                                      |      | V   |
| EPO   |      | EMERGENCY POWER OFF              | (N)  | NEW                                                    |      | VN  |
| EQ    |      | EQUAL                            | NC   | NEUTRAL                                                |      | VFD |
| EQUIP |      | EQUIPMENT                        | NC   | NORMALLY CLOSED                                        |      | VP  |
| (E)   |      | EXISTING                         | NC   | NOT IN CONTRACT                                        |      | WH  |
| FA    |      | FIRE ALARM                       | NL   | NIGHT LIGHT                                            |      | WI  |
| FACP  |      | FIRE ALARM CONTROL PANEL         | NO   | NORMALLY OPEN                                          |      | WT  |
| FLA   |      | FULL LOAD AMPERES                | NFS  | NOT TO SCALE                                           |      | XP  |
| (F)   |      | FUTURE                           | NCPI | OVERCURRENT PROTECTIVE DEVICE                          |      | XPB |
| GND   |      | GROUND                           | OFI  | OWNER FURNISHED                                        |      | XL  |
| GALV  |      | GALVANIZED                       | OH   | OVERHEAD                                               |      | XPB |
| GEC   |      | GROUNDING ELECTRODE CONDUCTOR    |      |                                                        |      |     |
| GRS   |      | GALVANIZED RIGID STEEL           |      |                                                        |      |     |
| GFCI  |      | GROUND FAULT CIRCUIT INTERRUPTER |      |                                                        |      |     |

|    |                                  |  |
|----|----------------------------------|--|
|    | PHASE                            |  |
|    | PUSHBUTTON                       |  |
|    | POWER DISTRIBUTION UNIT          |  |
|    | PANEL                            |  |
| C  | POINT OF COMMON COUPLING         |  |
|    | POINT OF INTERCONNECTION         |  |
|    | PHOTOVOLTAIC                     |  |
|    | POLYVINYL CHLORIDE               |  |
|    | EXISTING TO BE REMOVED           |  |
|    | NEW LOCATION OF RELOCATED DEVICE |  |
|    | RIGID METAL CONDUIT              |  |
|    | EXISTING TO BE RELOCATED         |  |
|    | REMOTE TERMINAL UNIT             |  |
| DA | SHORT CIRCUIT AVAILABLE          |  |
|    | SUPERVISORY CONTROL & DATA       |  |
|    | ACQUISITION                      |  |
|    | SECONDARY                        |  |
| CS | SPECIFICATIONS                   |  |
|    | STANDARD                         |  |
| D  | SHIELDED TWISTED PAIR            |  |
|    | SWITCHBOARD                      |  |
|    | SYMMETRICAL                      |  |
|    | TO BE DETERMINED                 |  |
|    | TIME DELAY                       |  |
| S  | TELEPHONE                        |  |
|    | TRANSIENT VOLTAGE                |  |
|    | SURGE SUPPRESSION                |  |
|    | TYPICAL                          |  |
|    | UNDERGROUND                      |  |
|    | UNDERWRITERS LABORATORIES        |  |
|    | UNLESS OTHERWISE NOTED           |  |
|    | UNDERGROUND PULLBOX              |  |
|    | UNSHIELDED TWISTED PAIR          |  |
|    | VOLTS                            |  |
|    | VOLT-AMPERES                     |  |
|    | VARIABLE FREQUENCY DRIVE         |  |
|    | VACUUM FAULT INTERRUPTER         |  |
|    | VAPORPROOF                       |  |
|    | WATTS, WRE                       |  |
|    | WATER HEATER                     |  |
|    | WEATHERPROOF                     |  |
| R  | WATERTIGHT                       |  |
|    | TRANSFORMER                      |  |
| E  | CROSS-LINKED POLYETHYLENE        |  |
|    | EXPLOSION PROOF                  |  |

## ELECTRICAL SYMBOLS

POWER

- EXPPOSED CONDUIT OR CONCEALED IN FLOOR, WALL OR CEILING
- ① JUNCTION BOX WITH COVER
-  PULL BOX WITH SCREW (HINGED) COVER
-  SPECIAL RECEPTACLE OUTLET, AMPERE, VOLTAGE, PHASE AND NEMA RATING AS NOTED ON THE DRAWINGS
-  20A-120V DUPLEX RECEPTACLE OUTLET, NEMA 5-20R SPECIFICATION GRADE. WALL MOUNTED
-  20A-120V DUPLEX RECEPTACLE OUTLET, NEMA 5-20R SPECIFICATION GRADE. MOUNTED ABOVE COUNTER SPLASH
-  20A-120V CEILING MOUNTED SINGLE TWIST-LOCK RECEPTACLE OUTLET, NEMA L5-20R SPECIFICATION GRADE
-  20A-120V DUPLEX FLOOR RECEPTACLE OUTLET, NEMA 5-20R
-  20A-120V TWO DUPLEX RECEPTACLE OUTLET IN ONE COVER PLATE. WALL MOUNTED, NEMA 5-20R
-  MULTI-OUTLET ASSEMBLY WITH 15A RECEPTACES @ 6"O.C., NEMA 15-5R
-  SURFACE METAL RACEWAY
-  SURFACE METAL RACEWAY DIVIDED FOR POWER AND TELECOM WITH 20A/120VAC 20A-120V RECEPTACLE AND TELECOM JACKS @ 24" O.C., NEMA 5-20R
-  MOTOR CONNECTION
-  HEATER CONNECTION
-  MAGNETIC MOTOR STARTER
-  COMBINATION MAGNETIC MOTOR STARTER WITH FUSED DISCONNECT SWITCH
-  HEAVY-DUTY DISCONNECT SWITCH, MOUNTED +6"-6" MAXIMUM TO HANDLE
-  HEAVY-DUTY FUSED DISCONNECT SWITCH, MOUNTED +6"-6" MAXIMUM TO HANDLE
-  MECHANICAL PACKAGED EQUIPMENT WITH INTEGRAL STARTER AND CONTROL PANEL
-  208V PANEL BOARD
-  SWITCHBOARD, DISTRIBUTION PANEL, MCC
-  480V PANEL BOARD
-  TRANSFORMER
-  CIRCUIT BREAKER, INSERPTED NUMBER INDICATES IEEE DEVICE NUMBER
-  CONDUIT SEAL



**SCHEMATIC**

- |  |                                                             |
|--|-------------------------------------------------------------|
|  | EMERGENCY POWER OFF                                         |
|  | NON-FUSIBLE LOAD INTERRUPTER SWITCH, AIR INSULATED          |
|  | FUSIBLE LOAD INTERRUPTER SWITCH, AIR INSULATED              |
|  | CIRCUIT BREAKER, MOLDED CASE                                |
|  | MOTOR CIRCUIT PROTECTOR                                     |
|  | CIRCUIT BREAKER WITH CURRENT LIMITING FUSES - SIZE AS SHOWN |
|  | CIRCUIT BREAKER, DRAW-OUT TYPE                              |
|  | MAIN CIRCUIT BREAKER W/ GFR                                 |
|  | MOTOR OVERLOAD RELAY                                        |
|  | NORMALLY OPEN CONTACT                                       |
|  | NORMALLY CLOSED CONTACT                                     |
|  | BUS DUCT (SINGLE LINE ONLY)                                 |
|  | WATT/HOUR REVENUE METER                                     |
|  | VOLTAMPERES REACTIVE REVENUE METER                          |
|  | NEUTRAL DISCONNECT LINK                                     |
|  | TRANSFORMER                                                 |
|  | ZIG ZAG TRANSFORMER                                         |
|  | HIGH VOLTAGE CABLE TERMINATION                              |
|  | COPPERWELD GROUND ROD AND INSPECTION WELL                   |
|  | COPPERWELD GROUND ROD; 10' X 3/4" U.O.N.                    |
|  | GROUND CONNECTION                                           |
|  | BARE COPPER GROUND CABLE, UNDERGROUND                       |
|  | BARE COPPER GROUND CABLE, ABOVEGROUND OR EXPOSED            |
|  | METAL CLAD CABLE                                            |
|  | FLEXIBLE RACEWAY                                            |
|  | SHORT CIRCUIT AMPERES, RMS SYMMETRICAL 3-PHASE              |
|  | ANSI/IEEE DEVICE NUMBER                                     |

## LIGHTING

- |                                                                                       |                                                        |                                                                                       |                                               |
|---------------------------------------------------------------------------------------|--------------------------------------------------------|---------------------------------------------------------------------------------------|-----------------------------------------------|
|  | SURFACE OR PENDANT MOUNTED FIXTURE AND OUTLET          |  | • DENOTES FIXTURE ON EMERGENCY CIRCUIT        |
|  | FLUORESCENT FIXTURE                                    |  | □ DENOTES FIXTURE ON NIGHT LIGHT CIRCUIT      |
|  | FLUORESCENT FIXTURE TANDEM WIRED                       |                                                                                       |                                               |
|  | FLUORESCENT STRIP FIXTURE                              |                                                                                       |                                               |
|  | POST TOP MOUNTED FIXTURE                               |                                                                                       |                                               |
|  | BOLLARD                                                |                                                                                       |                                               |
|  | FLOODLIGHT AND OUTLET                                  |                                                                                       |                                               |
|  | UNIVERSAL MOUNTED EXIT FIXTURE AND OUTLET              |                                                                                       |                                               |
|  | WALL RECESS OR SURFACE MOUNTED EXIT FIXTURE AND OUTLET |                                                                                       |                                               |
|  | FIXTURE IDENTIFICATION TAG - SEE FIXTURE SCHEDULE      |                                                                                       |                                               |
|                                                                                       |                                                        |  | PROVIDE ARROW AND NUMBER OF FACES AS REQUIRED |
|                                                                                       |                                                        |  | L DENOTES LOW LEVEL                           |

## QUALITY ASSURANCE NOTES

1. FOLLOW AND ADHERE TO ALL MANUFACTURERS INSTALLATION INSTRUCTIONS.
2. ALL BACKFILL AND COMPACTION SHALL COMPLY WITH GEOTECH REPORT.
3. ALL ELECTRICAL TERMINATIONS SHALL BE TORQUED TO MANUFACTURERS' SPECIFICATIONS. WHERE THEY ARE NOT SPECIFIED, REFER TO UL STANDARDS 486A AND 486B. FINAL TORQUE TEST DOCUMENTATION SHALL BE PROVIDED TO OWNER OR HIS REPRESENTATIVE, WITH ONE OR THE OTHER IN WITNESS AT RANDOM TIMES.
4. LINE AND LOAD CONDUCTORS SHALL BE BRACED AND SUPPORTED (LASHED, HELD FIRMLY IN PLACE) IN ACCORDANCE WITH THE EQUIPMENT MANUFACTURER'S SPECIFICATIONS AND NECA/IBEW APPROVED INSTALLATION PRACTICES.
5. COMPRESSION CONNECTORS SHALL BE CRIMPED ACCORDING TO THE MANUFACTURER'S INSTALLATION INSTRUCTIONS, USING MANUFACTURER-APPROVED TOOLS AND DIES. ALWAYS TUG-TEST ALL TERMINATIONS AFTER COMPLETION.
6. LISTED OXIDE INHIBITOR MUST BE APPLIED TO ALL ALUMINUM WIRE TERMINATIONS. LUGS USED WITH ALUMINUM WIRE MUST BE LISTED FOR USE WITH ALUMINUM, OR BE MARKED DUAL-RATED (AL/CU).
7. CORROSION POTENTIAL IN OUTDOOR ELECTRICAL CONNECTIONS SUCH AS GROUNDING AND BONDING CONNECTIONS SHOULD BE REDUCED BY MINIMIZING CONTACT BETWEEN DISSIMILAR METALS. WITHIN THE ELECTRICAL APPLICATOR'S AREA OF OUTDOOR ELECTRICAL JOINT COMPOUND BETWEEN DISSIMILAR METAL CONNECTIONS IS RECOMMENDED. ALL LUGS AND TERMINATION DEVICES USED OUTDOORS MUST BE LISTED FOR DIRECT BURIAL OR OUTDOOR USE.

## MOUNTING HEIGHTS

|                                                                     |                 |                           |                    |
|---------------------------------------------------------------------|-----------------|---------------------------|--------------------|
| MOUNTING HEIGHTS SHALL BE TO BOTTOM OF BOX, UNLESS OTHERWISE NOTED. |                 |                           |                    |
| RECEPTACLES                                                         | 18"             | VOLUME CONTROLS           | MAX. 48" TO TOP    |
| RECEPTACLE WIREWAYS                                                 | 43"             | THERMOSTATS               | MAX. 48" TO TOP    |
| SWITCHES                                                            | MAX. 48" TO TOP | TELE/COMMUNICATION OUTLET | 15" MIN. TO BOTTOM |
| MOTOR STARTERS, TO TOP                                              | 72"             | PANELBOARDS, TO TOP       | 72"                |
| DISCONNECTS, TO TOP                                                 | 72"             | CABINETS, TO TOP          | 72"                |
| JUNCTION BOXES                                                      | 15" MIN.        | FIRE ALARM PULL STATIONS  | MAX 48" TO TOP     |

## SPECIAL INSPECTIONS

THE FOLLOWING TEST SHALL BE PERFORMED PRIOR TO ENERGIZATION OF THE SYSTEM WHEN APPLICABLE. TEST RESULTS SHALL BE MADE AVAILABLE TO THE ENGINEER OF RECORD OR BUILDING OFFICIAL UPON REQUEST.

1. GROUND-FAULT PROTECTION EQUIPMENT
  - 1.1. VERIFY PICKUP AND TIME DELAY SETTINGS ARE IN ACCORDANCE WITH SETTINGS PROVIDED BY THE ENGINEER OR EQUIPMENT MANUFACTURER.
2. ELECTRICAL TESTS SWITCHBOARDS, PANELBOARDS, MOTOR CONTROL CENTERS AND OTHER EQUIPMENT RATED 1000 AMPERES OR MORE, OR OVER 600 VOLTS.
  - 2.1. VERIFY RATED PICKUP AND TIME DELAY FOR ALL ANSI FUNCTIONS INDICATED IN THE DRAWINGS ARE IN ACCORDANCE WITH SETTINGS PROVIDED BY THE RESPONSIBLE ENGINEER.
  - 2.2. TEST PRIMARY CONTROL VOLTAGE AT NOT MORE THAN 57 PERCENT OF ITS RATED VOLTAGE. VERIFICATION OF CONTINUITY OF EQUIPMENT GROUNDING SYSTEM.
  - 2.3. INSULATION RESISTANCE TEST ON EACH BUS AND PROTECTIVE DEVICE, PHASE-TO-PHASE AND PHASE-TO-GROUND.
  - 2.4. DIELECTRIC VOLTAGE-WITHSTAND TEST ON EACH BUS AND PROTECTIVE DEVICE, PHASE-TO-PHASE AND PHASE-TO-GROUND.
  - 2.5. CONTROL POWER TRANSFORMER, CONTROL POWER CIRCUITS AND POTENTIAL CIRCUITS.
  - 2.7. CONTROL AND PROTECTIVE DEVICES FOR PROPER OPERATION.
3. ELECTRICAL TESTS ON TRANSFORMERS RATED 100 KVA OR MORE SINGLE PHASE AND 300 KVA OR MORE THREE PHASE.
  - 3.1. INSULATION RESISTANCE TEST ON EACH WINDING. TEST WINDING-TO-WINDING AND WINDINGS-TO-GROUND.
  - 3.2. TURNS-RATIO TEST FOR EACH WINDING AT ALL TAP SETTINGS.
  - 3.3. CONTROL POWER TRANSFORMER, CONTROL POWER CIRCUITS AND POTENTIAL CIRCUITS.
  - 3.4. CONTROL AND PROTECTIVE DEVICES FOR PROPER OPERATION.
4. CONDUCTORS THAT SUPPLY EQUIPMENT RATED AT 1000 AMPERES OR MORE, OR OVER 600 VOLTS
  - 4.1. INSULATION RESISTANCE TEST ON EACH CONDUCTOR, PHASE-TO-PHASE AND PHASE-TO-GROUND.
  - 4.2. PERFORM DC HIGH-POTENTIAL TEST ON EACH CONDUCTOR, PHASE-TO-PHASE AND PHASE-TO-GROUND.
  - 4.3. MEDIUM VOLTAGE CONNECTORS SHALL BE INCLUDED IN TEST TO VERIFY PROPER TERMINATION AND ASSEMBLY OF CONNECTORS.
5. ELECTRICAL TESTS ON EMERGENCY AND STANDBY POWER SYSTEMS: SWITCHBOARDS, PANELBOARDS, DISTRIBUTION BOARDS, TRANSFER EQUIPMENT, POWER SOURCE, CONDUCTORS, FIRE PUMPS, EXHAUST AND VENTILATION FANS.
  - 5.1. CONTROL AND PROTECTIVE DEVICES FOR PROPER OPERATION.
  - 5.2. PHASE ROTATION TEST
  - 5.3. INSULATION RESISTANCE TEST ON FEEDER CONDUCTORS AND EQUIPMENT, PHASE-TO-PHASE AND PHASE-TO-GROUND.
  - 5.4. ALTERNATELY TRANSFER TEST, TEST NORMAL AND EMERGENCY POWER, OR NORMAL AND STANDBY POWER, OR BOTH. SIMULATE LOSS OF EMERGENCY AND NORMAL POWER OR STANDBY AND POWER, OR BOTH. SIMULATE ALL FORMS OF SINGLEPHASE CONDITIONS.
  - 5.5. CONDUCT OPERATIONAL TEST ON SYSTEM UNDER LOAD CONDITIONS.
6. PHOTOVOLTAIC-SPECIFIC SYSTEM COMMISSIONING TESTS, SUCH AS STRING IV CURVE TRACE, INFRARED IMAGING, AND AS-BUILT SUN ACCESS AND SHADING REPORTS.

## EQUIPMENT SPECIFICATIONS

THE FOLLOWING EQUIPMENT SPECIFICATION AND SUBMITTALS SHALL BE PROVIDED TO AND APPROVED BY THE ENGINEER OF RECORD PRIOR TO INSTALLATION:

- ELECTRICAL EQUIPMENT INCLUDING: SWITCHGEAR, PANELBOARDS, MOTOR CONTROL CENTERS, AND SAFETY SWITCHES.
- CONDUCTORS AND CABLES INCLUDING: MEDIUM VOLTAGE CABLES, LOW VOLTAGE CABLES, PV DC WIRING, AND CONTROL CABLES.
- COMMUNICATION CABLES SUCH AS RS-485/EIA-485 CABLE, ETHERNET CABLE, AND FIBER OPTIC CABLE.
- SCADA DEVICES SUCH AS DATA ACQUISITION SYSTEM, RTU, RTAC, OR CONTROLLER.
- PROTECTIVE DEVICES INCLUDING: CIRCUIT BREAKERS (INCLUDING TRIP UNITS IF PRESENT), FUSES, AND RELAYS.
- PV EQUIPMENT INCLUDING: SOLAR MODULE, UL2703 SOLAR MOUNTING SYSTEM, TRANSFORMERS, INVERTERS, COMBINER BOXES, RECOMBINER BOXES, AND RAPID SHUTDOWN BOXES. ALSO SUBMIT DEVICES NOT INTEGRAL TO THE SOLAR MODULE MOUNTING SYSTEM, SUCH AS MODULE GROUPING LUGS OR DEVICES.
- CABLE TRAY INCLUDING WIRE AND TRAY SIZING CALCULATIONS



CONSULTANT



**BLYMYER**  
ENGINEERS  
1101 MARINA VILLAGE PARKWAY # 100  
ALAMEDA, CA 94501 510.521.3773

STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2018 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 kWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

# GENERAL ELECTRICAL SYMBOLS, NOTES AND ABBREVIATIONS

|                        |                             |
|------------------------|-----------------------------|
| JOB NO.: 218061<br>GVV | PROJECT MGR: SG<br>NO SCALE |
| DRAWN:                 | SCALE:                      |

SHEET NUMBER

# E-1.0

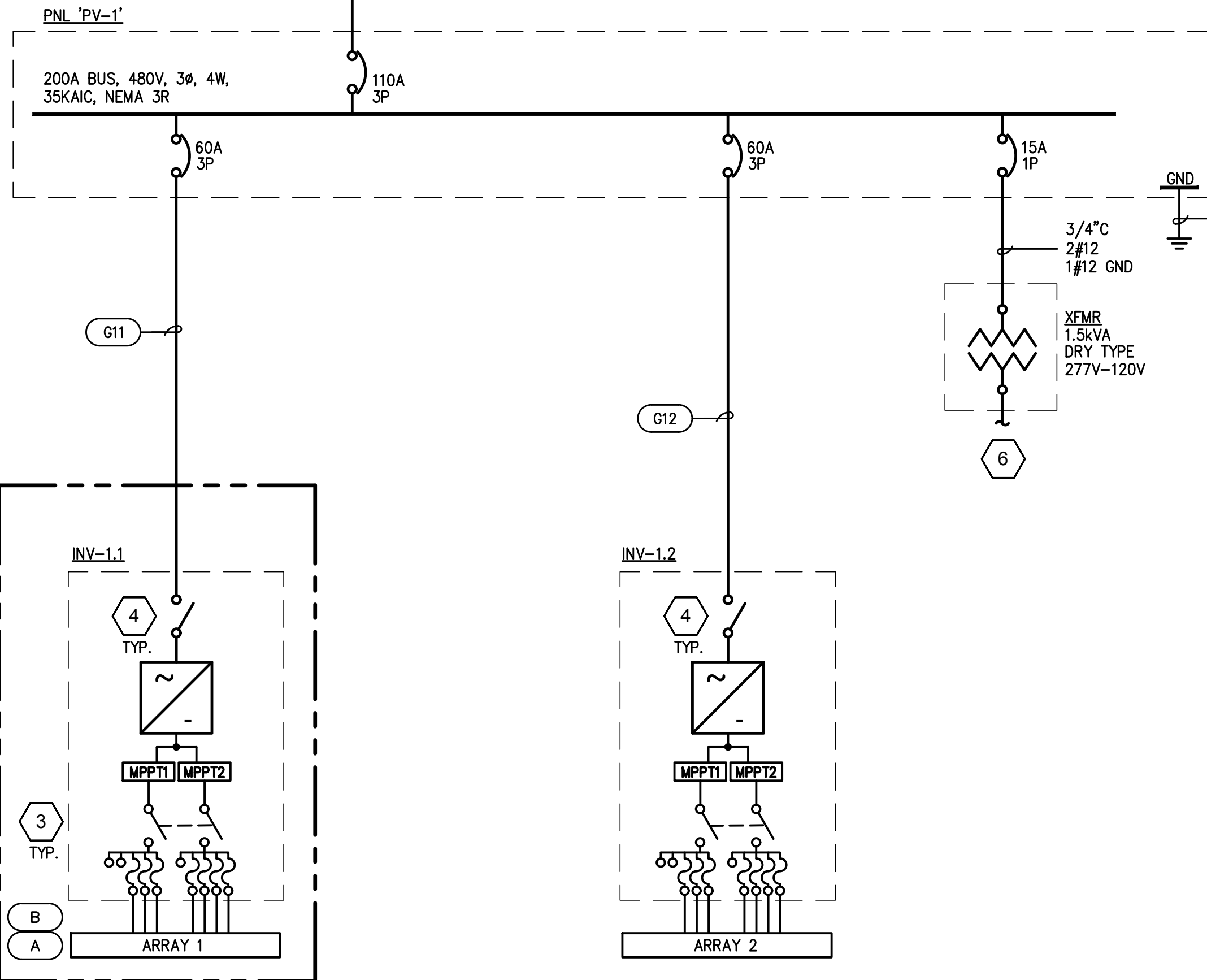
# PRELIMINARY



|                                                                          |
|--------------------------------------------------------------------------|
| TOTAL DESIGN OUTPUT:<br>72 KWAC<br>96.00 KWDC STC<br>240 365W PV MODULES |
|--------------------------------------------------------------------------|



### LOCATED AT (N) PV CANOPIES



| PANEL BOARD      |               |           | PSL "EV-1"      |         |              |         |                     |               |                     |  |
|------------------|---------------|-----------|-----------------|---------|--------------|---------|---------------------|---------------|---------------------|--|
| DESIGNATION      | FEDDER IDENT. | Load Amps | CB AMPS         | Cir No. | Cir No.      | CB AMPS | Load Amps           | FEDDER IDENT. | CIRCUIT DESIGNATION |  |
| (E) HCS EVSPH1   | EV2           | 32.00     | 40/2P           | 1       | A            | 2       |                     |               |                     |  |
|                  |               | 32.00     | "               | 3       | B            | 4       | 40/2P               | EV2           | FUTURE VAN EVCS     |  |
| (E) HCS EVSP2    | EV2           | 32.00     | 40/2P           | 5       | C            | 6       |                     |               |                     |  |
|                  |               | 32.00     | "               | 7       | A            | 8       | 40/2P               | EV2           | FUTURE VAN EVCS     |  |
| FUTURE DUAL PORT | EV2           | 32.00     | 40/2P           | 9       | B            | 10      |                     |               |                     |  |
| "                |               | 32.00     | "               | 11      | C            | 12      | 40/2P               | EV2           | FUTURE DUAL PORT    |  |
|                  |               |           |                 | 13      | A            | 14      | "                   |               |                     |  |
|                  |               |           |                 | 15      | B            | 16      |                     |               |                     |  |
|                  |               |           |                 | 17      | C            | 18      |                     |               |                     |  |
|                  |               |           |                 | 19      | A            | 20      |                     |               |                     |  |
|                  |               |           |                 | 21      | B            | 22      |                     |               |                     |  |
|                  |               |           |                 | 23      | C            | 24      |                     |               |                     |  |
|                  |               |           |                 | 25      | A            | 26      |                     |               |                     |  |
|                  |               |           |                 | 27      | B            | 28      |                     |               |                     |  |
|                  |               |           |                 | 29      | C            | 30      |                     |               |                     |  |
| CONNECTED [AMPS] |               |           |                 |         |              |         |                     |               |                     |  |
| PHASE A          |               | 128.00    | SYSTEM VOLTAGE: |         |              |         | 208 /120V, 4W + GND |               |                     |  |
| PHASE B          |               | 128.00    | MAX PHASE LOAD  |         |              |         | 128.00 AMPS         |               |                     |  |
| PHASE C          |               | 128.00    | ST 125%         |         |              |         | 160.00 AMPS         |               |                     |  |
| TYPE:            | NEMA 3R       |           | MTG:            |         | SURFACE      |         |                     |               |                     |  |
| MAIN CB [AMPS]:  | 225           |           | OUTPUT TO:      |         | PANEL "EV-4" |         |                     |               |                     |  |
| BUS [AMPS]:      | 225           |           | KARC RATING:    |         | KARC         |         |                     |               |                     |  |
|                  | SN      GND   |           |                 |         |              |         |                     |               |                     |  |

(\*) - MONITOR RING OR SERVICE EQUIPMENT; LOAD EXCLUDED FROM SCHEDULE

(\*) - MONITORING OR SERVICE EQUIPMENT; LOAD EXCLUDED FROM SCHEDULE

| PANELBOARD                                                         |               |           |         | PNL "EV-2" |         |         |                 |               |                     |  |  |
|--------------------------------------------------------------------|---------------|-----------|---------|------------|---------|---------|-----------------|---------------|---------------------|--|--|
| DESIGNATION                                                        | FEDDER IDENT. | Load Amps | CB AMPS | Ctr No.    | Ctr No. | CB AMPS | Load Amps       | FEDDER IDENT. | CIRCUIT DESIGNATION |  |  |
|                                                                    |               |           |         | 1          | A       | 2       |                 |               |                     |  |  |
|                                                                    |               |           |         | 3          | B       | 4       |                 |               |                     |  |  |
|                                                                    |               |           |         | 5          | C       | 6       |                 |               |                     |  |  |
| PNL-EV-1                                                           | H1            | 128.00    | 225/3P  | 7          | A       | 40/2P   | 32.00           | EVL           | FUTURE VAN EVCS     |  |  |
|                                                                    | "             | 128.00    | "       | 9          | B       | "       | 32.00           | "             |                     |  |  |
|                                                                    |               |           |         | 11         | C       | 12      |                 |               |                     |  |  |
|                                                                    |               |           |         | 13         | A       | 14      |                 |               |                     |  |  |
|                                                                    |               |           |         | 15         | B       | 16      |                 |               |                     |  |  |
|                                                                    |               |           |         | 17         | C       | 18      |                 |               |                     |  |  |
|                                                                    |               |           |         | 19         | A       | 20      |                 |               |                     |  |  |
|                                                                    |               |           |         | 21         | B       | 22      |                 |               |                     |  |  |
|                                                                    |               |           |         | 23         | C       | 24      |                 |               |                     |  |  |
|                                                                    |               |           |         | 25         | A       | 26      |                 |               |                     |  |  |
|                                                                    |               |           |         | 27         | B       | 28      |                 |               |                     |  |  |
|                                                                    |               |           |         | 29         | C       | 30      |                 |               |                     |  |  |
|                                                                    |               |           |         |            |         |         |                 |               |                     |  |  |
| CONNECTED [AMPS]                                                   |               |           |         |            |         |         |                 |               |                     |  |  |
| PHASE A                                                            |               | 128.00    |         |            |         |         | SYSTEM VOLTAGE: |               | 208 /120V, 4W + GND |  |  |
| PHASE B                                                            |               | 160.00    |         |            |         |         | MAX PHASE LOAD  |               | 160.00 AMPS         |  |  |
| PHASE C                                                            |               | 160.00    |         |            |         |         | ST 125%fc       |               | 200.00 AMPS         |  |  |
| TYPE:                                                              |               | NEMA 3R   |         |            |         |         |                 |               |                     |  |  |
| MAIN CB [AMPS]:                                                    |               | 225       | SN      |            | GND     |         | MIG:            |               | SURFACE             |  |  |
| BUS [AMPS]:                                                        |               | 225       |         |            |         |         | OUTPUT TO:      |               | "SWBD 1"            |  |  |
|                                                                    |               |           |         |            |         |         | K&IC RATING:    |               | 35                  |  |  |
|                                                                    |               |           |         |            |         |         |                 |               |                     |  |  |
| (*) - MONITORING OR SERVICE EQUIPMENT, LOAD EXCLUDED FROM SCHEDULE |               |           |         |            |         |         |                 |               |                     |  |  |

(\*) - MONITORING OR SERVICE EQUIPMENT; LOAD EXCLUDED FROM SCHEDULE

| SYSTEM SUMMARY            |                   |
|---------------------------|-------------------|
| PROJECT LOCATION          | SEASIDE, CA       |
| DESIGN TEMPERATURE (MIN.) | -11°C             |
| STRING SIZE               | 15                |
| MODULE TYPE               | LG L6400Q2W-A5    |
| MODULE WATTAGE            | 400W              |
| MODULE QTY.               | 240               |
| INVERTER                  | SOLECTRIA PW-36TL |
| INVERTER QTY.             | 2                 |
| SYSTEM SIZE (AC)          | 72 kWAC           |
| SYSTEM SIZE (DC)          | 96 kWDC           |

1. ALL EQUIPMENT SHALL BE UL LISTED.
2. INSTALLATION SHALL BE IN ACCORDANCE WITH LATEST ELECTRICAL AND BUILDING CODES. AHJ HAS FINAL JURISDICTIONAL AUTHORITY ON CODE APPLICATION AND COMPLIANCE.
3. ALL INVERTER WIRING AND GROUNDING METHODS SHALL CONFORM TO THE MANUFACTURER'S RECOMMENDED PRACTICES. REFER TO PLANNING & INSTALLATION MANUAL FOR THIS GUIDANCE.
4. ALL DISCONNECTS SHALL BE LABELED "WARNING – ELECTRIC SHOCK HAZARD – DO NOT TOUCH TERMINALS" AND "TERMINALS ON BOTH LINE AND LOAD SIDES MAY BE ENERGIZED IN THE OPEN POSITION" PER NEC 690.17.
5. EXPOSED NON-CURRENT CARRYING METAL PARTS OF MODULE FRAME, EQUIPMENT AND ENCLOSURES SHALL BE GROUNDING IN ACCORDANCE WITH NEC 250.134 AND 250.136(A). PHOTOVOLTAIC MODULES TO BE GROUNDING USING FACTORY GROUND POINT ONLY, OR OTHER APPROVED UL LISTED MEANS/METHODS.
6. PV SYSTEM MUST BE MARKED WITH WORDING AND LOCATION AS DESCRIBED ON THIS DRAWING AND SHEET E-9.0.
7. EQUIPMENT SHALL BE LOOKABLE OR GUARDED AGAINST ACCESS BY UNQUALIFIED PERSONS.

1. PROVIDE NECA 3R FULL BOX AT (E) BUILDING EXTERIOR TO ACCOMMODATE FUTURE EHV LOAD METER.
2. INVERTERS: SELECTRIA PVI 361r FOR UNGROUND PV ARRAYS OR EQUIV. 36 PVI, 48VAC, 3PH-4W, 10000DC, NECA-4X ENCLOSURE, TYPICAL ALL EQUIPMENT. 480Y/277V 3P/4W. UL1741 LISTED WITH INTEGRAL ANTI-ISLANDING PROTECTION, UL1741 LISTING INCLUDES COMPLIANCE WITH IEEE5919 FOR POWER QUALITY, IEEE929 FOR INTERCONNECTION SAFETY AND NEC REQUIREMENTS.
3. INTEGRATED DC DISCONNECT SWITCH: IN NEMA 3R ENCLOSED WITH INTEGRAL FUSIBLE STRING COMBINER. MIN FUSE SIZE AS INDICATED IN PV MODULE TABLE.  
TABLE:  
SAFETY PROCEDURES MUST COMPLY WITH NEC 690.15 REQUIREMENTS  
SAFETY PROCEDURES MUST BE FOLLOWED FOR A FUSE REPLACEMENT AND EQUIPMENT ISOLATION. REFER TO MANUFACTURER'S INSTALLATION INSTRUCTIONS FOR DETAILS.
4. INTEGRATED AC DISCONNECT REQUIRED BY NEC 705.12 SHALL COMPLY WITH NEC 705.22.
5. BOND ELECTRICAL, PANELS, AND INVERTER GND TERMINALS TO GROUNDING ELECTRODE. USE UL LISTED IRREVERSIBLE COMPRESSION CONNECTORS OR EXOTHERMIC WELD PROCESS AS APPLICABLE.
6. 120 VAC POWER FOR DAS EQUIPMENT. CONFIRM REQUIREMENTS WITH DAS PROVIDER. ALTERNATE SOURCE OF POWER CAN BE DETERMINED IN FIELD BY CONTRACTOR.
7. PROVIDE AND INSTALL NEW DISCONNECT SWITCH AS REQUIRED BY NEC 690 PART III. THE DISCONNECTING MEANS SHALL MATCH DEVICE TYPE REQUIRED BY LOCAL UTILITY COMPANY; WINDING VIEWING IS OPTIONAL.
8. FUSIBLE AC DISCONNECT SHALL SERVE AS OVERCURRENT PROTECTION FOR ELECTRIC POWER PRODUCTION SOURCE, AND SHALL BE PLACED WITHIN 10FT FROM UTILITY INTERCONNECTION POINT AS REQUIRED BY NEC 705.31.
9. APPLY PERMANENT WARNING LABEL WITH THE FOLLOWING MARKING AND STANDARD SYSTEM PARAMETERS PER DETAILS ON SHEET E-9.0:

SWITCH ACDS-X  
PHOTOVOLTAIC SYSTEM  
MAIN AC DISCONNECT  
G VOLTAGE: <SYSTEM VOLTAGE>  
G CURRENT: <SYSTEM CURRENT>

- |    |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10 | SEE DATA ACQUISITION SYSTEM SHEET FOR DATA ACQUISITION SYSTEM DETAILS AND WIRING DIAGRAM.                                                                                                                                                                                                                                                                                                                                                        |
| 11 | INFRASTRUCTURE HAS CAPACITY FOR 2 FUTURE DUAL-PORT LEVEL 2 CHARGERS(200V,40A/2P PER PORT).                                                                                                                                                                                                                                                                                                                                                       |
| 12 | CONNECT PV SYSTEM OUTLET TO THE SUPPLY SIDE OF THE SERVICE DISCONNECTING MEANS IN ACCORDANCE WITH NEC 705.12(A) AS PERMITTED IN NEC 230.42(C). DISTANCE FROM LINE(S) SIDE TAP TO ACES SHALL BE AS SHORT AS POSSIBLE. WHERE SUPPLY SIDE CONNECTION CONDUITORS EXCEED 1 FEET IN LENGTH, PROVIDE LISTED CABLE LIMITERS WITHIN 10 FEET OF THE POINT OF INTERCONNECTION. CABLE LIMITERS SHALL BE INSTALLED WITH LISTED HEAT SHRNK OR INSULATING BOOT. |
| 13 | CONTRACTOR TO CONFIRM CONDITION & RATING OF THE EXISTING SWITCHBOAR FOR SUPPLY SIDE TAP INSTALLATION, AND NOTIFY ENGINEER IN CASE OF DISCREPANCIES.                                                                                                                                                                                                                                                                                              |
| 14 | APPLY PERMANENT WARNING LABEL, WITH THE FOLLOWING MARKING:<br>CAUTION: SOLAR ELECTRICAL SYSTEM CONNECTED<br>REFER TO DETAILS TO SHEET E-9.0.                                                                                                                                                                                                                                                                                                     |

ID - X Y (EXAMPLE: INV-11)

EQUIPMENT NUMBER

ARRAY NUMBER

EQUIPMENT ID

J1 - FEEDER IDENTIFIER PER WIRE  
SCHEDULE ON E-4.x SERIES DRAWINGS

## PRELIMINARY



CONSULTANT



**BLYMYER**  
ENGINEERS  
1101 MARINA VILLAGE PARKWAY #100  
ALAMEDA, CA 94501 510.521.3773

STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2018 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 kWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

## ONE-LINE DIAGRAM

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: CVV      | SCALE: NO SCALE |
| SHEET NUMBER    |                 |

# E-2.0

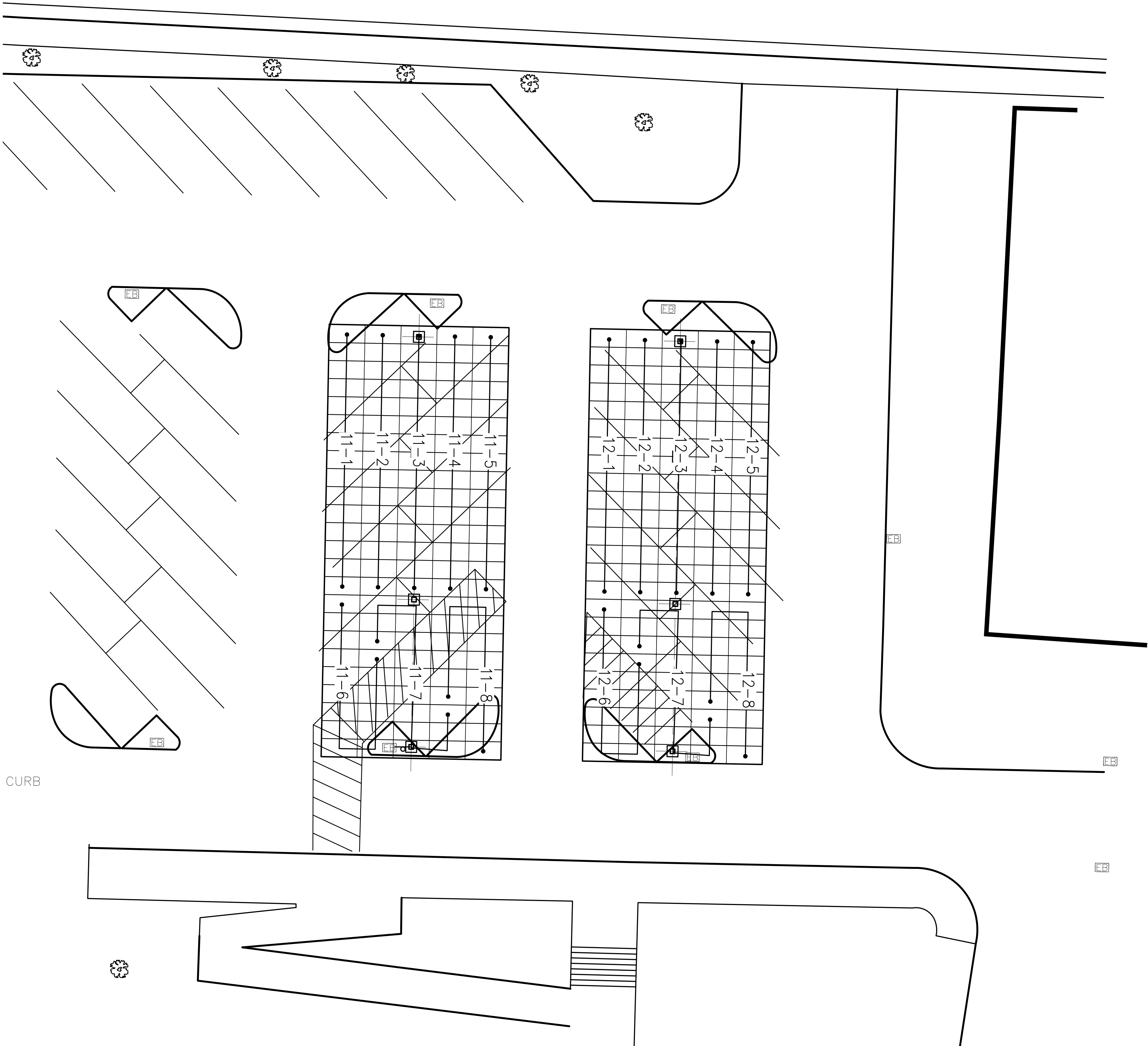




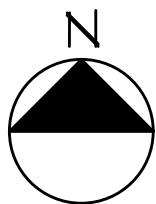
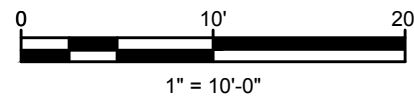


L:\Acad\2018\dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 E-3.1.dwg February 15, 2019 -- 10:50AM rthabst

(PUBLIC R.O.W. VARIES)



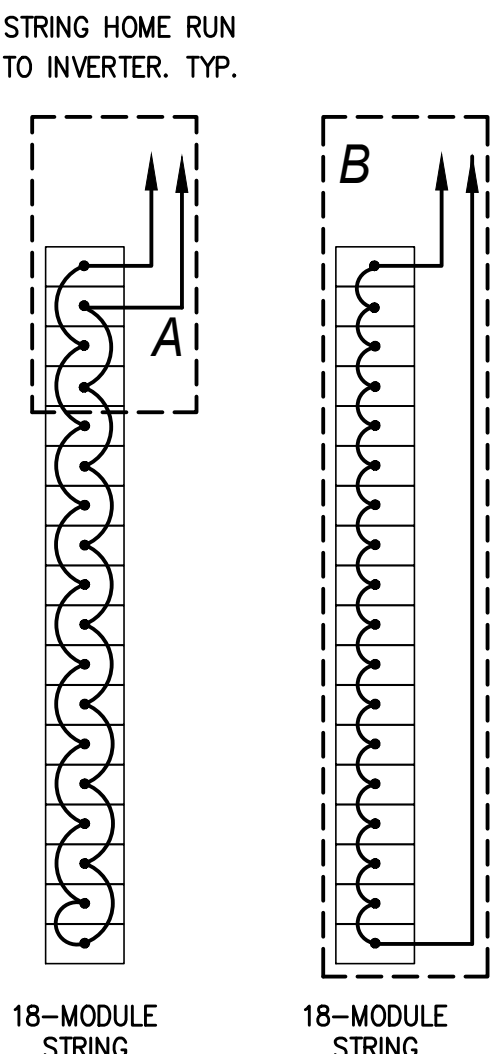
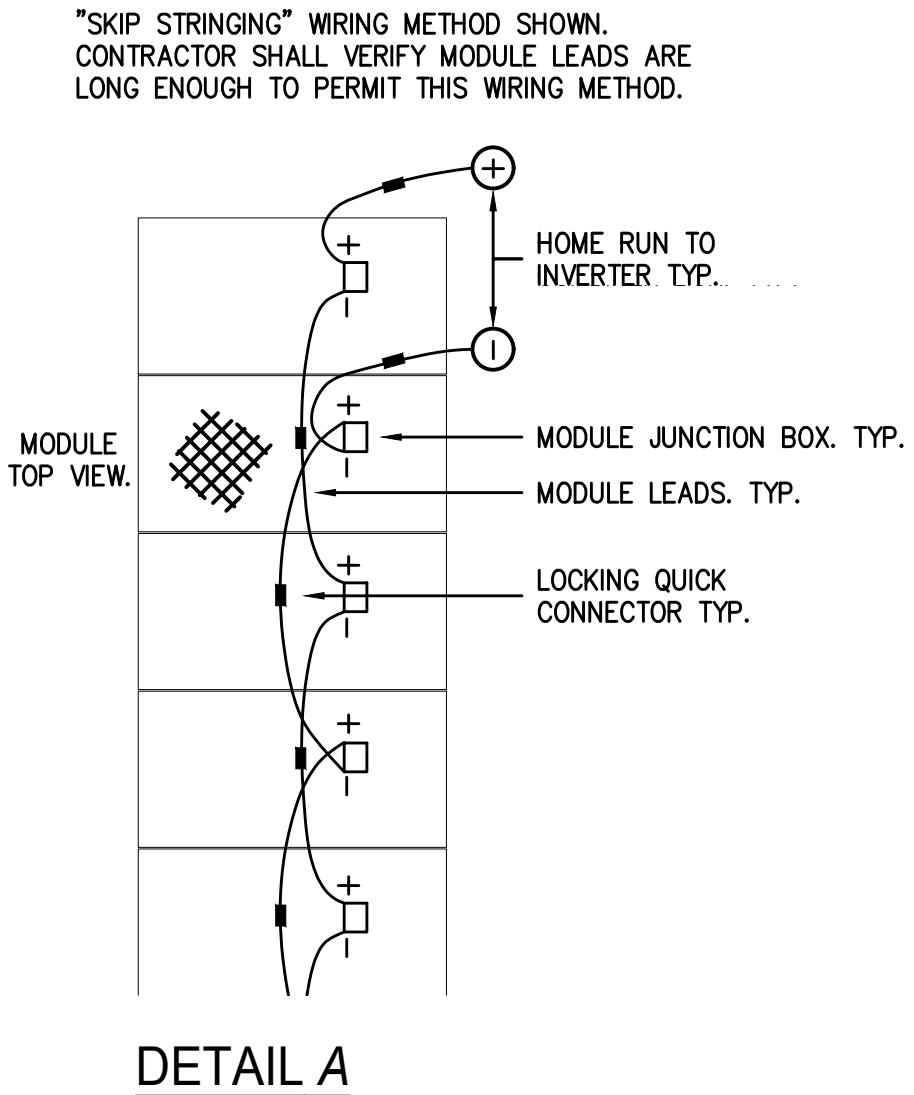
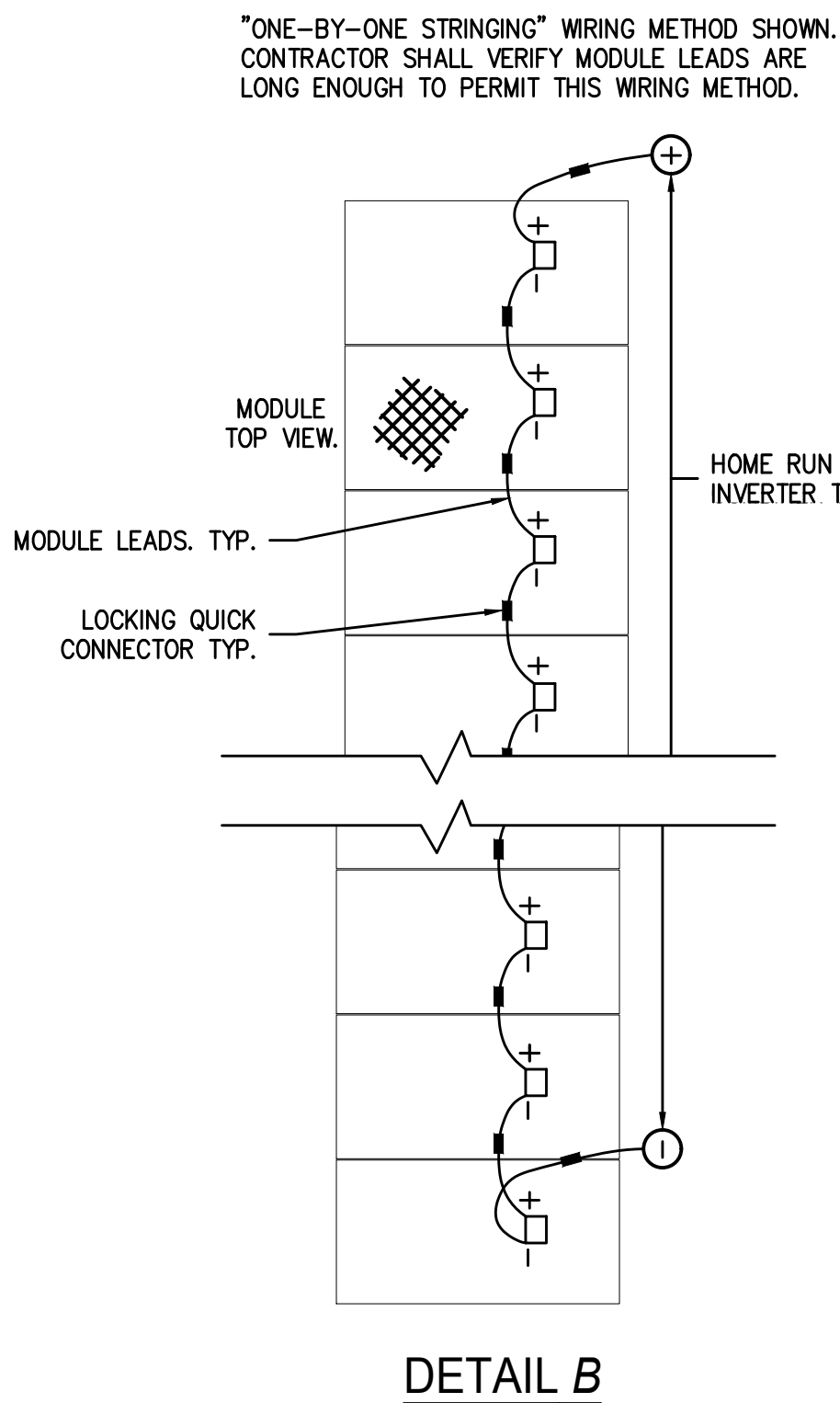
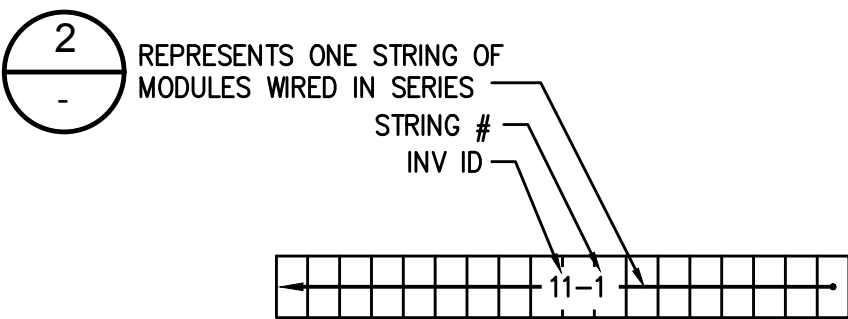
1 PHOTOVOLTAIC ARRAY ELECTRICAL ARRANGEMENT  
SCALE: 1" = 10'-0"



### GENERAL NOTES

1. ALL EQUIPMENT SHALL BE UL LISTED.
2. STRINGS HOMERUNS SHALL USE UL LISTED WEATHERPROOF, UV SUNLIGHT RESISTANT, FINGERSAFE, PLUG-AND RECEPTACLE CONNECTORS, MULTICONTACT TYPE OR EQUIVALENT. EXISTING PV MODULE CONNECTORS SHALL BE UTILIZED, HOMERUNS TO MATCH.
3. WIRING SHALL BE INSTALLED IN APPROVED RACEWAYS FOR ITS INTENDED USE. ADEQUATELY STRAP AND SUPPORT ALL RACEWAYS. IN GENERAL, SUPPORT ALL EMT, RGS CONDUIT WITHIN THREE (3) FEET OF OUTLET BOX, PANEL OR ENCLOSURE AND MAXIMUM TEN (10) FEET ON CENTER THEREAFTER. LPMC AND MC-PVC JACKETED CABLE WITHIN (1) FEET AND (4.5) FEET ADEQUATELY. RACEWAYS TO BE LISTED FOR WET LOCATION.
4. STRING CIRCUIT NUMBERING IS DIAGRAMMATIC IN NATURE. USE SKIP STRING METHOD IF APPLICABLE.

### LEGEND



2 TYPICAL STRING WIRING DETAILS  
SCALE: NTS



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 kWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

PHOTOVOLTAIC ARRAY  
ELECTRICAL ARRANGEMENT

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: CVV      | SCALE: 1"= 10'  |
| SHEET NUMBER    |                 |

E-3.1

PRELIMINARY







L:\Acad\2018dwp\218061\_Sage City of Seaside CA\01 CAD Working\218061 E-41.dwg February 15, 2019 -- 1:20PM rhabet

| DC WIRE AND CONDUIT SCHEDULE |                                     |                                 |            |                                  |                             |                          |                          |                           |                       |                        |                      |                                                     |                               |                                   |                    | REMARKS                        |
|------------------------------|-------------------------------------|---------------------------------|------------|----------------------------------|-----------------------------|--------------------------|--------------------------|---------------------------|-----------------------|------------------------|----------------------|-----------------------------------------------------|-------------------------------|-----------------------------------|--------------------|--------------------------------|
| DEVICE                       | SOURCE CIRCUITS (STRINGS) CONNECTED | DESCRIPTION (STRINGS) CONNECTED | IDENTIFIER | OPEN CIRCUIT VOLTAGE (Voc @ STC) | MAXIMUM POWER VOLTAGE (Vmp) | SHORT CIRCUIT AMPS (Isc) | MAXIMUM POWER AMPS (Imp) | NOMINAL POWER RATING (KW) | MINIMUM FUSE SIZE (A) | FUSE SIZE SELECTED (A) | MINIMUM CONDUIT SIZE | MINIMUM WIRE SIZE & QTY CU. WITH PV WIRE INSULATION | MAXIMUM ONE-WAY DISTANCE (FT) | VOLTAGE DROP AT MAX. DISTANCE (%) | TEMPERATURE DERATE |                                |
| PV MODULE                    | LG LG400N2W-A5                      | MODULE TO MODULE                | A          | 49.30                            | 40.60                       | 10.47                    | 9.86                     | 0.4                       | N/A                   | N/A                    | N/A                  | BY VENDOR PV WIRE                                   | N/A                           | N/A                               | 1.00               | WIRE TEMP. DERATED AT 22 deg C |
| STRING CIRCUIT               | 15 MODULE STRING                    | TO INVERTER                     | B          | 739.50                           | 609.00                      | 10.47                    | 9.86                     | 6.00                      | 16                    | 20                     | N/A                  | 2#10 +1#10GND                                       | 100 AVERAGE                   | 0.418                             | 1.00               | WIRE TEMP. DERATED AT 22 deg C |

|                                                                             |            |            |            |              |               |              |
|-----------------------------------------------------------------------------|------------|------------|------------|--------------|---------------|--------------|
| PV module<br>LG<br>LG400N2W-A5<br>String or panel (collection of # modules) | Watts      | Vmp        | Voc        | Imp          | Isc           | Coef. Voc.   |
|                                                                             | 400        | 40.6       | 49.3       | 9.86         | 10.47         | -0.26 % / °C |
|                                                                             |            |            |            | Maximum fuse | =             | 20           |
|                                                                             | PV modules | String Vmp | String Voc | Lowest Temp. | Ambient Corr. | String Vocc  |
|                                                                             | 15         | 609        | 739.5      | -1.0 °C      | 1.07          | 789.49       |

| AC WIRE AND CONDUIT SCHEDULE |             |             |               |                         |               |             |                        |            |                 |                           |              |                                 |
|------------------------------|-------------|-------------|---------------|-------------------------|---------------|-------------|------------------------|------------|-----------------|---------------------------|--------------|---------------------------------|
| DESCRIPTION                  | FROM        | TO          | CIRCUIT LABEL | NOMINAL VOLTAGE (VOLTS) | OCPD SIZE (A) | QTY OF SETS | WIRE SIZE (AWG OR KCM) | WIRE METAL | WIRE INSULATION | MINIMUM CONDUIT SIZE (IN) | RACEWAY TYPE | MAXIMUM ONE-WAY DISTANCE (FEET) |
| INVERTER OUTPUT              | INV-1.1     | PNL "PV-1"  | G11           | 480                     | 60            | 1           | 3#6+1#10N+1#10G        | CU         | THWN-2          | 3/4                       | EMT          | 40                              |
| INVERTER OUTPUT              | INV-1.2     | PNL "PV-1"  | G12           | 480                     | 60            | 1           | 3#6+1#10N+1#10G        | CU         | THWN-2          | 3/4                       | EMT          | 100                             |
| PV PNL OUTPUT                | PNL "PV-1"  | TRANSFORMER | I1            | 480                     | 110           | 1           | 3#4/0+1#1N+1#1G        | CU         | THWN-2          | 2                         | EMT          | 440                             |
| PV PNL OUTPUT                | TRANSFORMER | ACDS-1      | T1            | 208                     | 300           | 1           | 3#350+1#4G             | CU         | THWN-2          | 2 1/2                     | EMT          | 50                              |
| PV PNL OUTPUT                | ACDS-1      | SWBD-1      | J1            | 208                     | 300           | 1           | 3#350+1#4N+1#4G        | CU         | THWN-2          | 2 1/2                     | RMC          | 10                              |
| EV CHARGING STATION          | EV CHARGER  | PNL " EV-2" | EV1           | 208                     | 40            | 1           | 2#6+1#8G               | CU         | THWN-2          | 1                         | EMT          | 20                              |
| EV CHARGING STATION          | EV CHARGER  | PNL " EV-1" | EV2           | 208                     | (2)40         | 1           | 4#6+2#8G               | CU         | THWN-2          | 1                         | EMT          | 20                              |
| EV PANEL INPUT               | PNL ' EV-1" | PNL " EV-2" | H1            | 480                     | 225           | 1           | 3#250+1#3N+1#3G        | CU         | THWN-2          | 2 1/2                     | EMT          | 200                             |
| EV PANEL INPUT               | PNL ' EV-1" | SWBD-1      | K1            | 480                     | 225           | 1           | 3#250+1#3N+1#3G        | CU         | THWN-2          | 2 1/2                     | EMT          | 150                             |

GENERAL NOTES

- ALL EQUIPMENT SHALL BE UL LISTED.
- MULTIPLE CONDUCTORS SHALL BE PERMITTED FOR USE IN ANY OF THE WIRING METHOD. DERATING FACTORS SHALL APPLY TO MORE THAN THREE (3) CURRENT-CARRYING CONDUCTORS IN RACEWAY OR CABLE. THE ALLOWABLE AMPACITY OF EACH CONDUCTOR SHALL BE REDUCED AS SHOWN IN NEC TABLE 310.15(B)(2)(a). THE NUMBER OF CONDUCTORS SHALL NOT EXCEED THAT PERMITTED BY THE PERCENTAGE FILL SPECIFIED IN NEC TABLE 1, CHAPTER 9.
- TOTAL VOLTAGE DROP (WORST CASE) FOR DC CIRCUITS B SHALL NOT EXCEED 2%; OTHERWISE SIZE OF CONDUCTORS AND CONDUIT MAY HAVE TO BE INCREASED. CONTRACTOR SHALL NOTIFY ENGINEER IF ACTUAL ROUTING EXCEEDS THE DESIGNED MAXIMUM ONE-WAY DISTANCES SHOWN IN DC WIRE SCHEDULE.
- TOTAL VOLTAGE DROP (WORST CASE) FOR AC CIRCUITS G+I SHALL NOT EXCEED 3% (2.5% RECOMMENDED), AND FOR CIRCUIT J 2%; OTHERWISE SIZE OF CONDUCTORS AND CONDUIT MAY HAVE TO BE INCREASED. CONTRACTOR SHALL NOTIFY ENGINEER IF ACTUAL ROUTING EXCEEDS THE DESIGNED MAXIMUM ONE-WAY DISTANCES SHOWN IN AC WIRE SCHEDULE.
- CONTRACTOR SHALL TORQUE ALL ELECTRICAL CONNECTIONS ACCORDING TO MANUFACTURER'S INSTALLATION INSTRUCTION. FOR DETAILED ELECTRICAL INFORMATION ON ELECTRICAL EQUIPMENT, SEE DATA SHEETS IN SPECIFICATIONS.
- WIRING SHALL BE INSTALLED IN CONDUIT TYPE AS APPLICABLE PER LOCATION. IN GENERAL ALL UNDERGROUND INSTALLATION SHALL USE PVC SCHEDULE 40. RGS SHALL BE USED FOR STUBS EMERGING FROM THE GROUND, AND IN CONCRETE ENCASEMENT. EMT AND LFMC SHALL BE ALLOWED FOR ABOVE GROUND INSTALLATION. RGS ENCASED IN CONCRETE AND EMERGING FROM THE GROUND SHOULD BE WRAPPED WITH CORROSION PROTECTIVE 10 MILL TAPE, UP TO 1" MIN. ABOVE THE SURFACE.
- ALL FEEDERS ARE COPPER UNLESS OTHERWISE NOTED.
- ALL LOW VOLTAGE AC CONDUCTORS SHALL HAVE THWN-2 OR XHHW-2 INSULATION, AND ALL PV DC CABLES SHALL HAVE 1000V PV WIRE INSULATION UNLESS OTHERWISE NOTED



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

WIRING & PANEL SCHEDULE

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: SGG      | SCALE: NO SCALE |
| SHEET NUMBER    |                 |

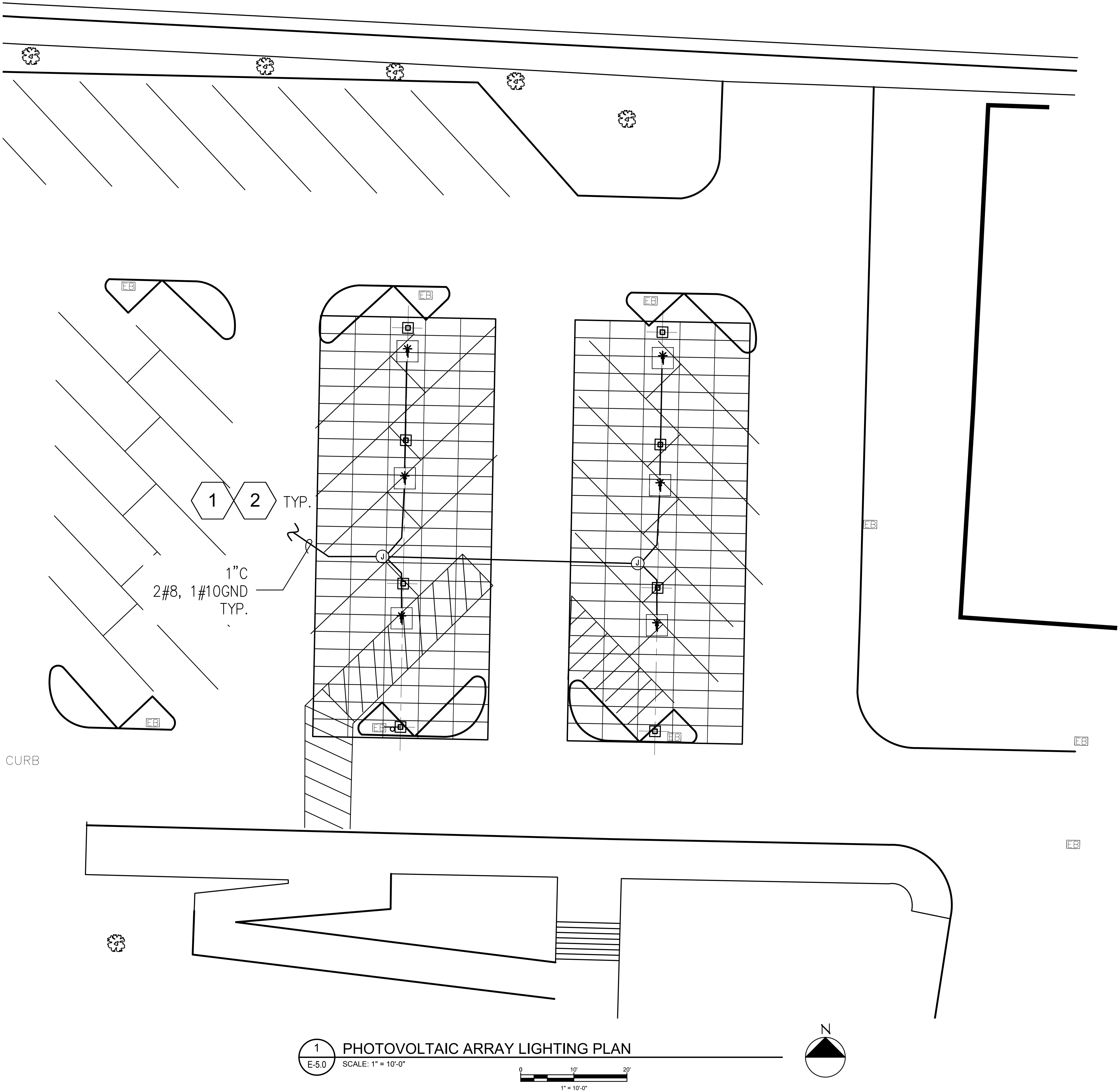
PRELIMINARY

E-4.1



L:\Acad\2018\dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 E-5.0.dwg February 15, 2019 -- 10:50AM rthabot

(PUBLIC R.O.W. VARIES)



1 PHOTOVOLTAIC ARRAY LIGHTING PLAN  
E-5.0 SCALE: 1" = 10'-0"

GENERAL NOTES

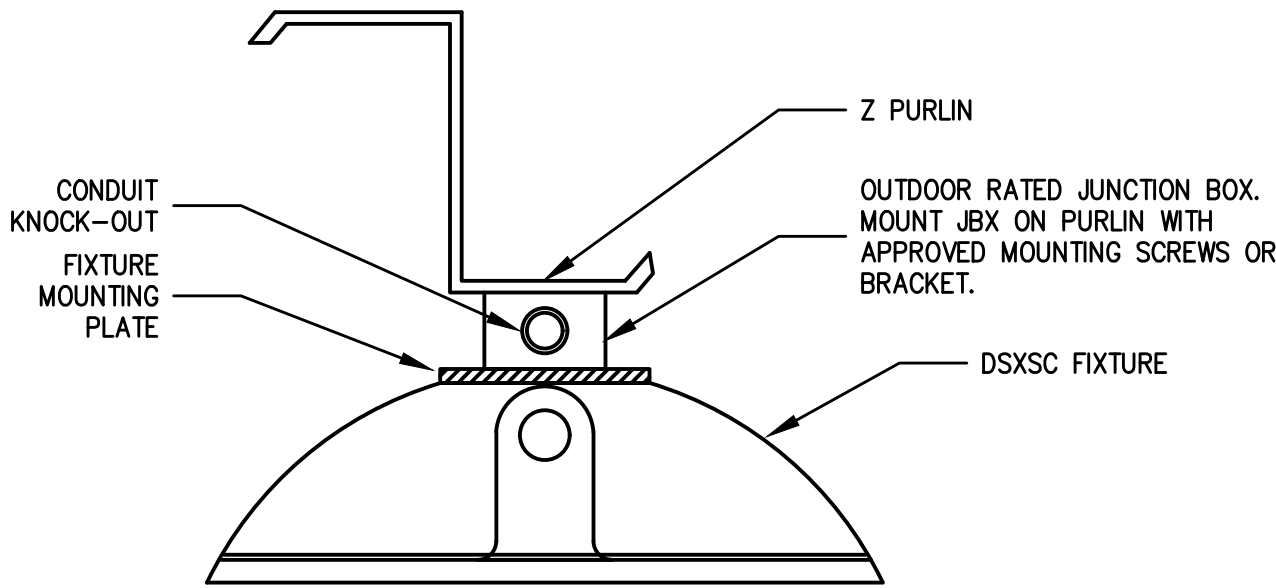
1. ALL EQUIPMENT SHALL BE UL LISTED.
2. DESIGN CRITERIA FOR ILLUMINATION LEVELS ARE: 1FC MINIMUM FOR GENERAL PARKING AREA UNDER CANOPY.
3. COLOR TEMPERATURE OF THE UNDER-CANOPY LIGHTING SHALL NOT BE GREATER THAN 4100K.
4. LIGHTING FIXTURES TO BE MOUNTED LESS THAN 24FT ABOVE THE GROUND AND TO BE CONTROLLED BY "PARTIAL-OFF" MOTION SENSORS. THIS SENSOR SHALL BE CAPABLE OF REDUCING LIGHTING POWER BY 40-80% IF AREA WILL BE VACATED OF OCCUPANTS.

KEYED NOTES

- 1 CONNECT CANOPY LIGHTING CIRCUITS TO (E) PARKING LOT LIGHTING BRANCH CIRCUIT, OR PROVIDE NEW 20A LIGHTING CIRCUITS. TYPICAL LIGHTING SYSTEM SHALL CONTAIN PROGRAMMABLE ASTRONOMICAL TIME CLOCK OR PHOTOCELL AND "PARTIAL-OFF" OCCUPANT SENSOR. MAXIMUM LIGHTING LOAD ON ONE (1) CIRCUIT SHALL NOT EXCEED 80%.
- 2 VERIFY EXISTING CONDITIONS, CONNECTION POINTS, AND EXISTING SYSTEM OPERATING VOLTAGE FOR LIGHTING FIXTURE AND CLOCK SELECTION. ENGINEER SHALL BE NOTIFIED.
- 3 PROVIDE J-BOX IN VARIOUS LOCATIONS AS REQUIRED TO DISTRIBUTE POWER TO LIGHTING FIXTURES. ANY LIGHTING BRANCH CIRCUIT SHALL BE MINIMUM 2#10AWG AND 1#10GND OR ANOTHER WIRE SIZE INSIDE A 3/4" CONDUIT TO MAINTAIN A 3% MAXIMUM VOLTAGE DROP AT THE FARTHEST LIGHTING FIXTURE. WIRING SHALL BE INSTALLED IN METAL RACEWAYS LISTED FOR WET LOCATION. TYPE MC OR MI CABLE LISTED FOR WET LOCATION IS PERMITTED AND SHALL BE INSTALLED IN COMPLIANCE WITH NEC 330, 332 AND PROTECTED AGAINST PHYSICAL DAMAGE. BENDS IN TYPE MC OR MI CABLE SHALL BE MADE SO THAT THE CABLE WILL NOT BE DAMAGED.

LEGEND

- AC FEEDER, UNDER GROUND.
- - - AC FEEDER, ABOVE GROUND
- \_\_\_\_\_ ARRAY STRUCTURE OUTLINE
- [Symbol] LIGHT FIXTURE
- [Symbol] LIGHT FIXTURE TYPE
- [Symbol] QUANTITY



2 DSXSC LIGHTING FIXTURE INSTALLATION  
E-5.0 SCALE: NOT TO SCALE

| LIGHTING FIXTURE SCHEDULE |       |          |                                                                                                                                                                                                                                                                     |                                                                                               |
|---------------------------|-------|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------|
| TYPE                      | LAMPS | VOLTAGE  | DESCRIPTION                                                                                                                                                                                                                                                         | MANUFACTURER                                                                                  |
| V<br>[Symbol]             | LED   | 120-480V | TWO-PIECE DIE-CAST ALUMINUM HOUSING WITH INTEGRAL HEAT SINK<br>FINS. MOTION/AMBIENT SENSOR OPTION INCLUDED.<br>LENS: PRECISION-MOLDED ACRYLIC<br>FINISH: ZINC-INFUSED SUPER DURABLE THERMOSET POWDER COAT<br>COLOR TEMPERATURE: 4000K<br>UL LISTED FOR WET LOCATION | LITHONIA D-SERIES:<br>DSXSC LED 200 700 40K TSW<br>MVOLT SRM P303GV DWHXD<br>SYSTEM- 46 WATTS |

PRELIMINARY



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

PHOTOVOLTAIC ARRAY  
LIGHTING PLAN

|                 |                    |
|-----------------|--------------------|
| JOB NO.: 218061 | PROJECT MGR: SG    |
| DRAWN: SGG      | SCALE: 1" = 20'-0" |
| SHEET NUMBER    |                    |

E-5.0



STATE OF CALIFORNIA

**OUTDOOR LIGHTING**  
CEC-NRDC-LTO-01-E (Revised 08/15)

CERTIFICATE OF COMPLIANCE

Project Name: CITY OF SEASIDE CITY HALL

Date Prepared: 01/14/2019

CALIFORNIA ENERGY COMMISSION

NRCC-LTO-01-E

(Page 2 of 4)

F. Schedule of luminaires exempt from the outdoor lighting power requirements in §140.7

| Name or Symbol | Description of exempt luminaire in accordance with the exemptions |
|----------------|-------------------------------------------------------------------|
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |

G. Schedule of luminaires exempt from the cutoff requirements in §130.2(b)

| Name or Symbol | Description of exempt luminaire in accordance with the exemptions |
|----------------|-------------------------------------------------------------------|
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |

H. Schedule of luminaires exempt from the outdoor lighting control requirements in §130.2(c)

| Name or Symbol | Description of exempt luminaire in accordance with the exemptions |
|----------------|-------------------------------------------------------------------|
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |
|                |                                                                   |

CA Building Energy Efficiency Standards - 2013 Nonresidential Compliance

August 2011

|                                                                                                                                                                                        |                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| STATE OF CALIFORNIA<br><b>OUTDOOR LIGHTING</b><br>CEC-NRCC-LTO-01-E (Revised 09/15)<br><b>CERTIFICATE OF COMPLIANCE</b><br>Outdoor Lighting<br>Project Name: CITY OF SEASIDE CITY HALL | <br>CALIFORNIA ENERGY COMMISSION<br><b>NRCC-LTO-01-E</b><br>(Page 4 of 4)<br>Date Provided: <b>01-14-2019</b> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                 |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------|
| <b>DOCUMENTATION AUTHOR'S DECLARATION STATEMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                 |
| I, _____, certify that this Certificate of Compliance documentation is accurate and complete.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                 |
| Documentation Author Name: Benjamin Iiu                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Documentation Author Signature: _____           |
| Company: BLYMYER ENGINEERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Signature Date: 01-14-2019                      |
| Address: 1101 MARINA VILLAGE PARKWAY SUITE 100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | CEA Certification Identification (F applicable) |
| City/State/Zip: ALAMEDA, CA 94501                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Phone: 510-521-3773                             |
| <b>RESPONSIBLE PERSON'S DECLARATION STATEMENT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                 |
| I certify the following under penalty of perjury, under the laws of the State of California:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                 |
| 1. The information provided on this Certificate of Compliance is true and correct.<br>2. I am eligible under Division 3 of the Business and Professions Code to accept responsibility for the building design or system design identified on this Certificate of Compliance (responsible designer).<br>3. The energy features and performance specifications, materials, components, and manufactured devices for the building design or system design identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 6 of the California Code of Regulations.<br>4. The building design features or system design features identified on this Certificate of Compliance are consistent with the information provided on other applicable compliance documents, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with this building permit application.<br>5. I will ensure that a completed signed copy of this Certificate of Compliance shall be made available with the building permit(s) issued for the building, and made available to the enforcement agency for all applicable inspections. I understand that a completed signed copy of this Certificate of Compliance is required to be included with the documentation the builder provides to the building owner at occupancy. |                                                 |
| Responsible Designer Name: Benjamin Iiu                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Responsible Designer Signature: _____           |
| Company: BLYMYER ENGINEERS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Date Signed: 01-14-2019                         |
| Address: 1101 MARINA VILLAGE PARKWAY SUITE 100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | License: E21280                                 |
| City/State/Zip: ALAMEDA, CA 94501                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Phone: 510-521-3773                             |

CA Building Energy Efficiency Standards - 2013 Nonresidential Compliance
August 2015

[illegible]

|                                                                                                                                                                                                                                                                                                                                                                                                                                  |  |                                                                |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------|--|
| STATE OF CALIFORNIA<br><b>OUTDOOR LIGHTING CONTROLS</b><br>CEC-NRCC-LTO-02-E (Revised 08/15)                                                                                                                                                                                                                                                                                                                                     |  | CALIFORNIA ENERGY COMMISSION<br>NRCC-LTO-02-E<br>(Page 3 of 3) |  |
| <b>CERTIFICATE OF COMPLIANCE</b><br>Outdoor Lighting Controls                                                                                                                                                                                                                                                                                                                                                                    |  |                                                                |  |
| Project Name: CITY OF SEASIDE CITY HALL                                                                                                                                                                                                                                                                                                                                                                                          |  | Date Prepared: 01-14-2019                                      |  |
| <b>DOCUMENTATION AUTHOR'S DECLARATION STATEMENT</b>                                                                                                                                                                                                                                                                                                                                                                              |  |                                                                |  |
| I, _____, certify that this Certificate of Compliance documentation is accurate and complete.                                                                                                                                                                                                                                                                                                                                    |  |                                                                |  |
| Documentation Author Name: Benjamin Iiu                                                                                                                                                                                                                                                                                                                                                                                          |  | Documentation Author Signature: _____                          |  |
| Company: BLYMYER ENGINEERS                                                                                                                                                                                                                                                                                                                                                                                                       |  | Signature Date: 01-14-2019                                     |  |
| Address: 1101 MARINA VILLAGE PARKWAY SUITE 100                                                                                                                                                                                                                                                                                                                                                                                   |  | CEA Certification Identification (if applicable):              |  |
| City/State/Zip: ALAMEDA, CA 94501                                                                                                                                                                                                                                                                                                                                                                                                |  | Phone: 510-521-3773                                            |  |
| <b>RESPONSIBLE PERSON'S DECLARATION STATEMENT</b>                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                |  |
| I certify the following under penalty of perjury, under the laws of the State of California:                                                                                                                                                                                                                                                                                                                                     |  |                                                                |  |
| 1. The information provided on this Certificate of Compliance is true and correct.                                                                                                                                                                                                                                                                                                                                               |  |                                                                |  |
| 2. I am eligible under Division 3 of the Business and Professions Code to accept responsibility for the building design or system design identified on this Certificate of Compliance (responsible designer).                                                                                                                                                                                                                    |  |                                                                |  |
| 3. The energy features and performance specifications, materials, components, and manufactured devices for the building design or system design identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 6 of the California Code of Regulations.                                                                                                                                   |  |                                                                |  |
| 4. The building design features or system design features identified on this Certificate of Compliance are consistent with the information provided on other applicable compliance documents, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with this building permit application.                                                                                         |  |                                                                |  |
| 5. I will ensure that a completed signed copy of this Certificate of Compliance shall be made available with the building permit(s) issued for the building, and made available to the enforcement agency for all applicable inspections. I understand that a completed signed copy of this Certificate of Compliance is required to be included with the documentation the builder provides to the building owner at occupancy. |  |                                                                |  |
| Responsible Designer Name: Benjamin Iiu                                                                                                                                                                                                                                                                                                                                                                                          |  | Responsible Designer Signature: _____                          |  |
| Company: BLYMYER ENGINEERS                                                                                                                                                                                                                                                                                                                                                                                                       |  | Date Signed: 01-14-2019                                        |  |
| Address: 1101 MARINA VILLAGE PARKWAY SUITE 100                                                                                                                                                                                                                                                                                                                                                                                   |  | License #: E21280                                              |  |
| City/State/Zip: ALAMEDA, CA 94501                                                                                                                                                                                                                                                                                                                                                                                                |  | Phone: 510-521-3773                                            |  |

CA Building Energy Efficiency Standards - 2013 Nonresidential Compliance
August 2015

|                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                        |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------|-------------|
|  <div style="display: inline-block; vertical-align: middle;"><b>SAGE</b><br/>RENEWABLES</div>                                                                                                                                                                                                                                                                       |                        |             |
| <div style="text-align: center;"><b>CONSULTANT</b></div> <div style="text-align: center; margin-top: 20px;"><div style="display: inline-block; vertical-align: middle;"><b>BLYMYER</b><br/>ENGINEERS</div></div> <div style="text-align: center; font-size: small; margin-top: 5px;">1101 MARINA VILLAGE PARKWAY # 100<br/>ALAMEDA, CA 94501     510.521.3773</div> |                        |             |
| <b>STAMP/SEAL</b>                                                                                                                                                                                                                                                                                                                                                                                                                                      |                        |             |
| <b>REV #</b>                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>DESCRIPTION</b>     | <b>DATE</b> |
| A                                                                                                                                                                                                                                                                                                                                                                                                                                                      | FOR CLIENT REVIEW      | 12/10/2018  |
| B                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 90% FOR CLIENT REVIEW  | 01/15/2019  |
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 90% FOR CLIENT REVIEW  | 02/15/2019  |
| <b>PROJECT TITLE:</b><br><br>CITY OF SEASIDE CITY HALL<br>PHOTOVOLTAIC ARRAYS<br>72 KWAC<br>440 HARCOURT AVE.<br>SEASIDE, CA                                                                                                                                                                                                                                                                                                                           |                        |             |
| <b>SHEET TITLE:</b><br><br><div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 100px;">TITLE 24 COMPLIANCE<br/>OUTDOOR LIGHTING</div>                                                                                                                                                                                                                                                                                       |                        |             |
| <b>JOB NO.:</b> 218061                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>PROJECT MGR:</b> SG |             |
| <b>DRAWN:</b> DG                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>SCALE:</b> NO SCALE |             |
| <b>SHEET NUMBER</b><br><br><div style="text-align: center; font-size: 3em; font-weight: bold;">E-6.0</div>                                                                                                                                                                                                                                                                                                                                             |                        |             |





| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2018 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 kWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

# TITLE 24 COMPLIANCE OUTDOOR LIGHTING

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: DG       | SCALE: NO SCALE |
| SHEET NUMBER    |                 |

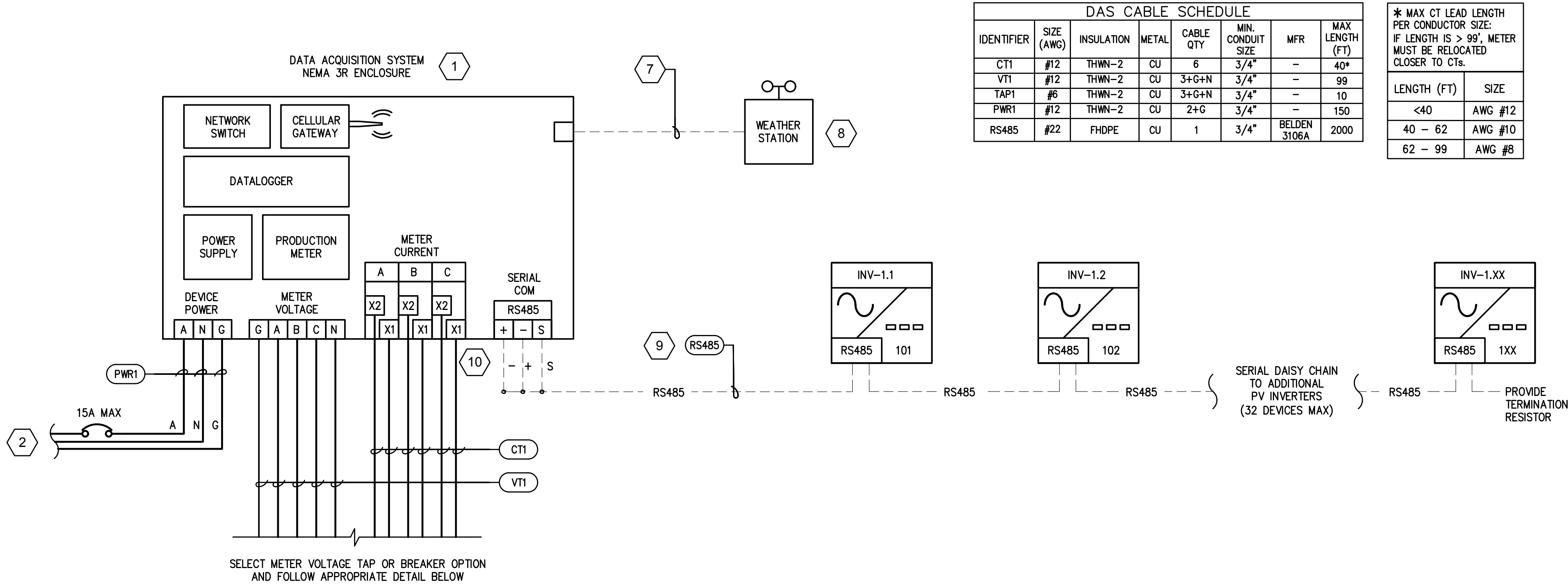
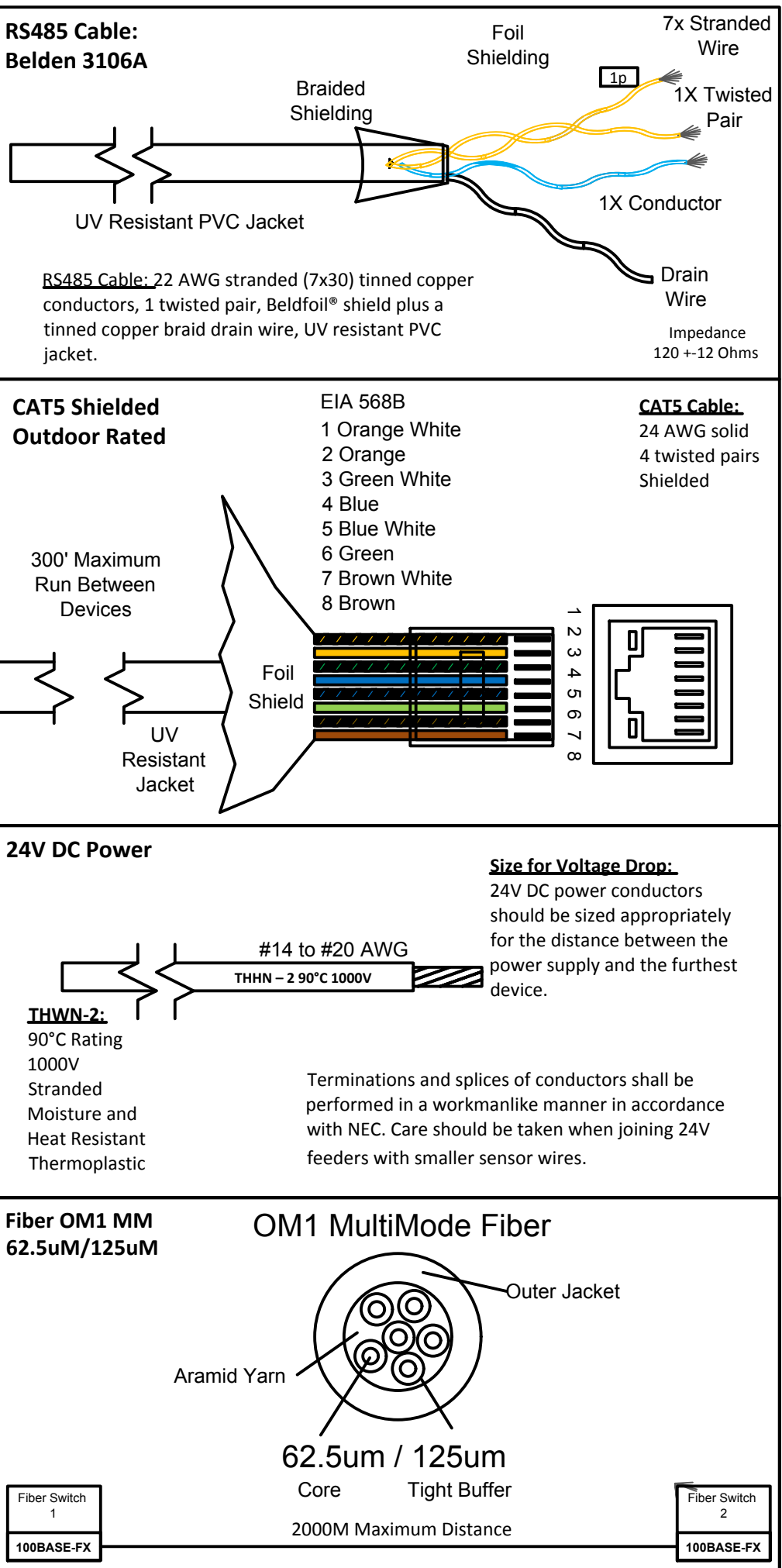
## E-6.1

# PRELIMINARY

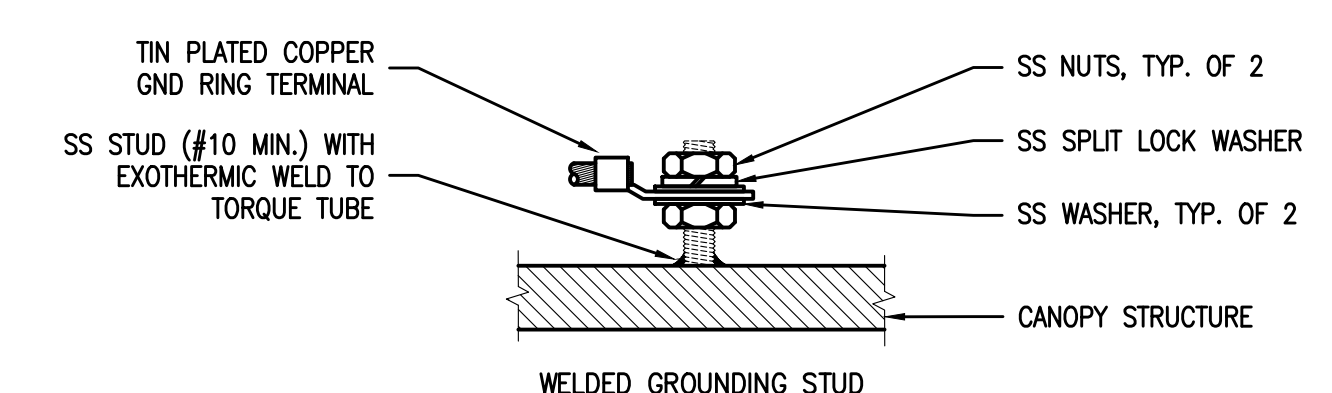
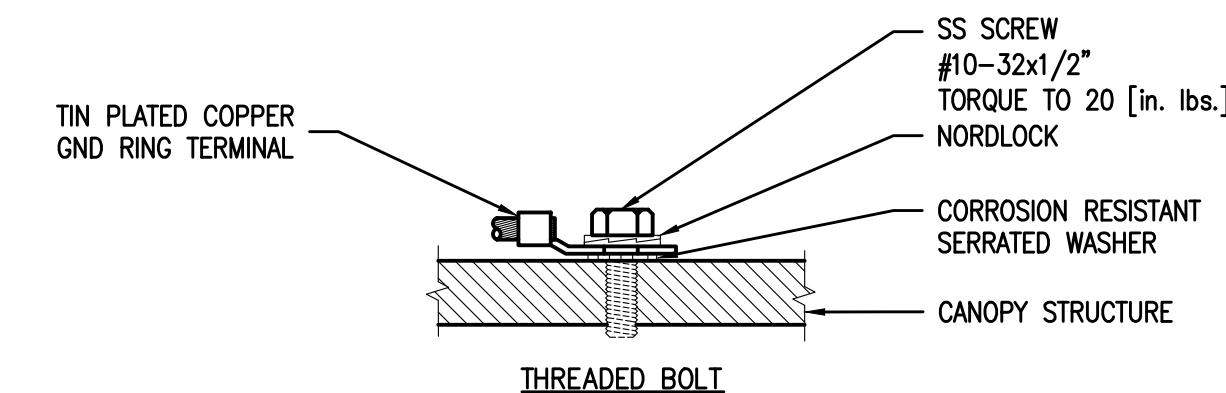
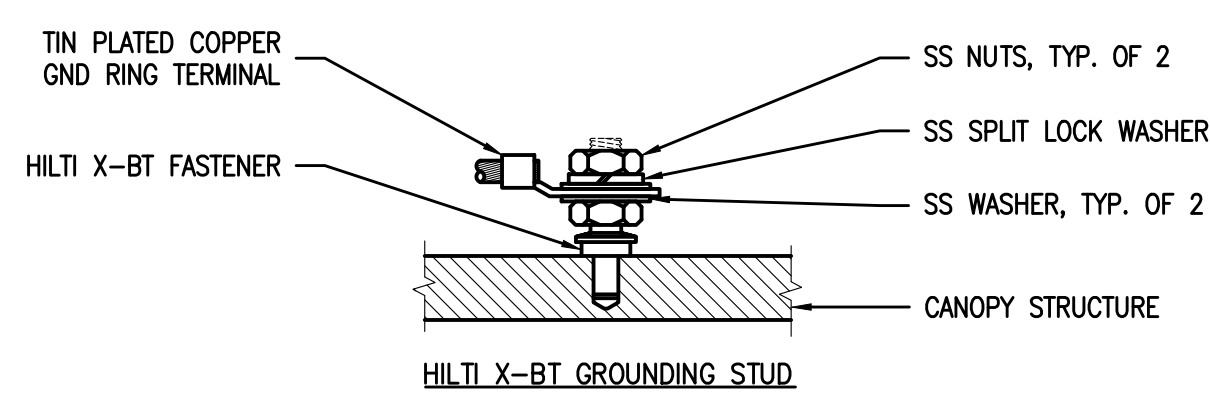
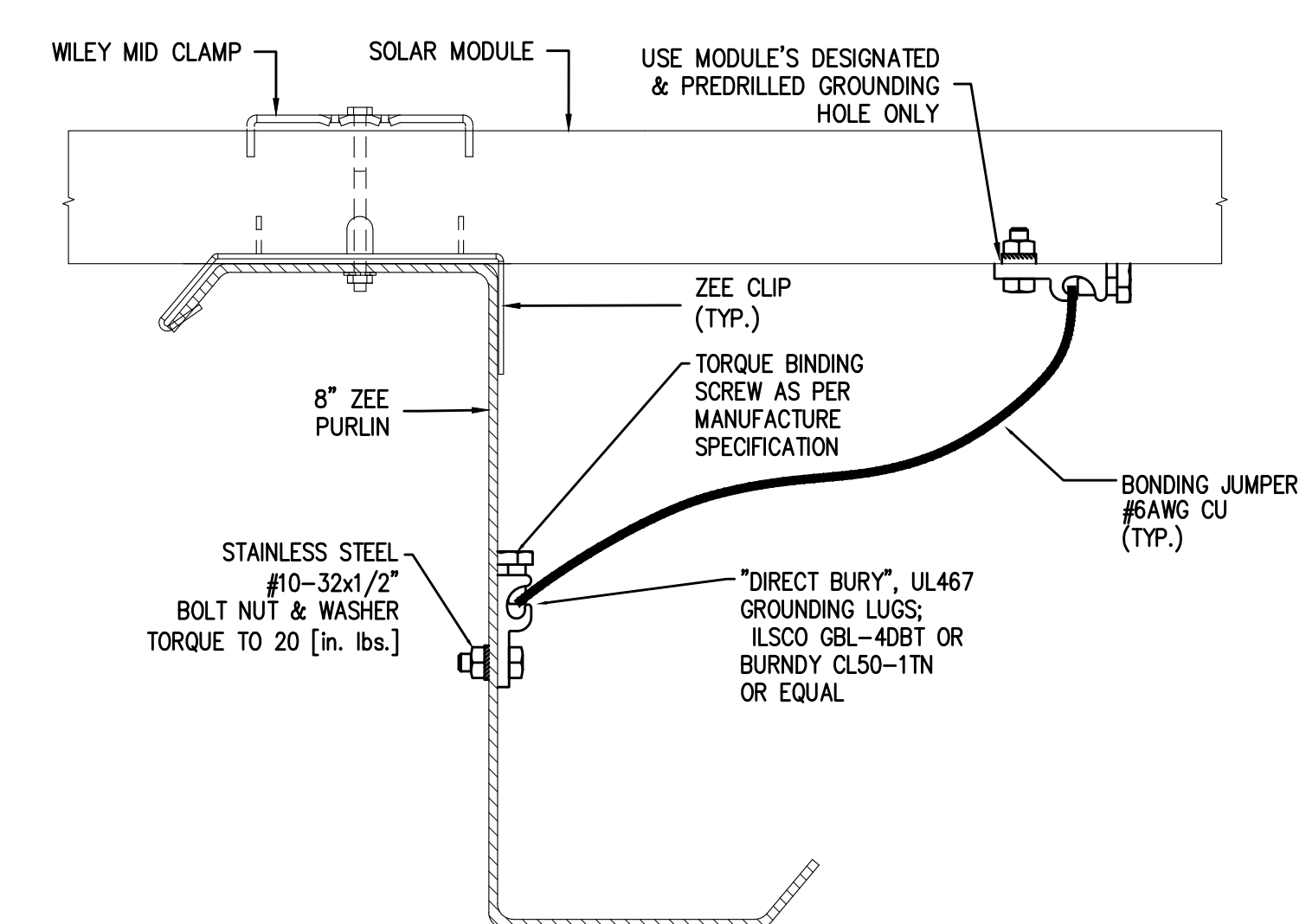
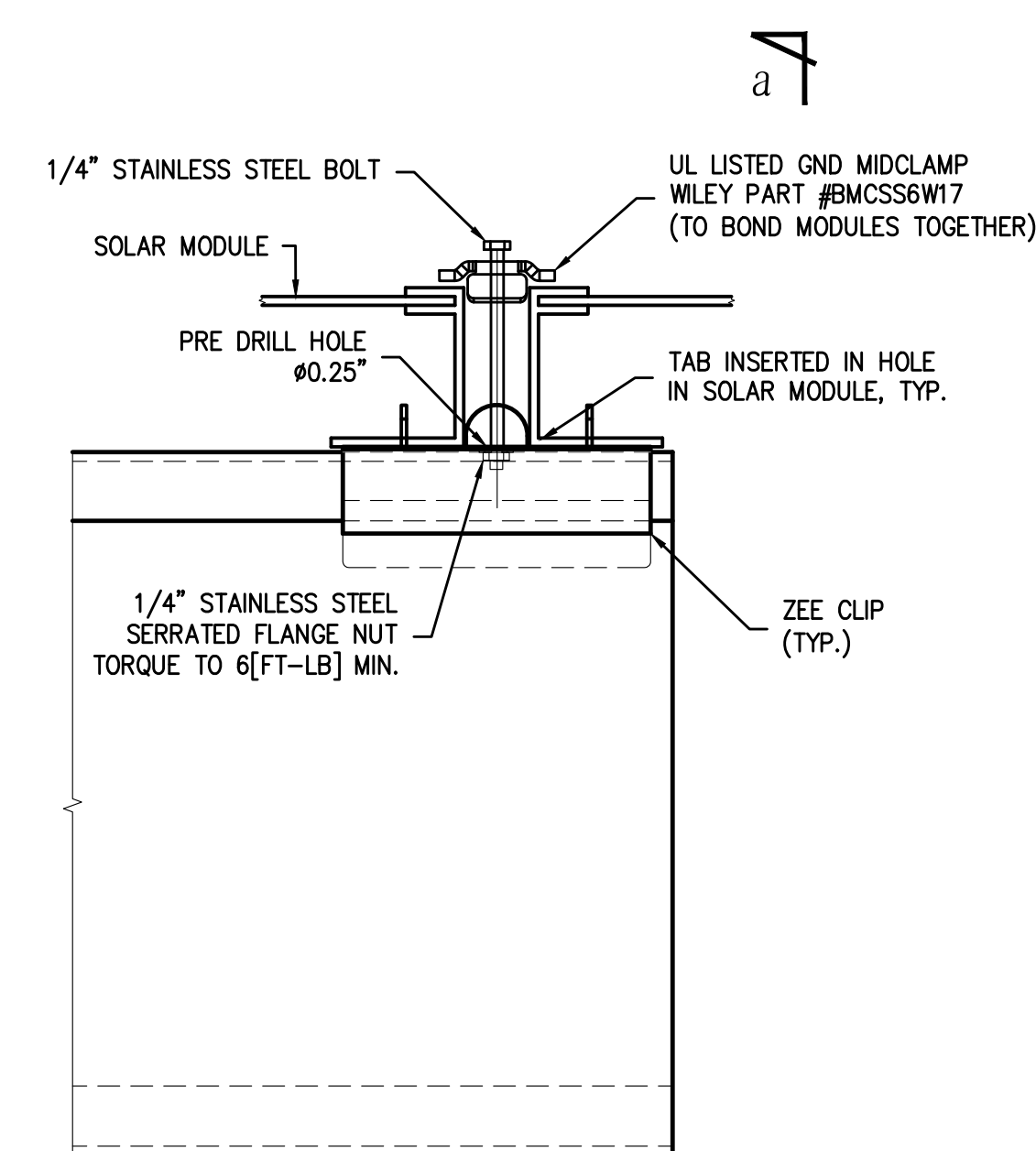
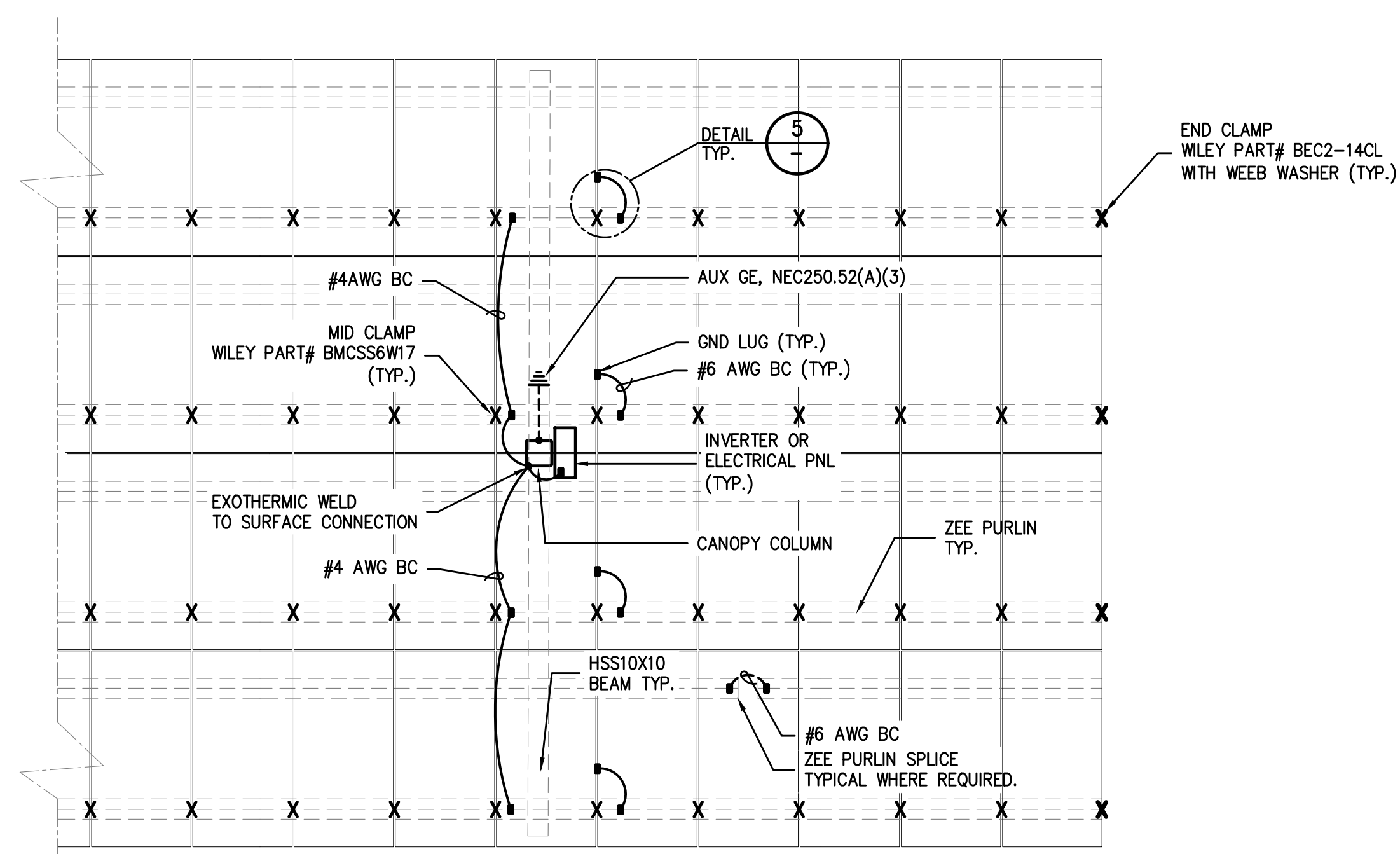
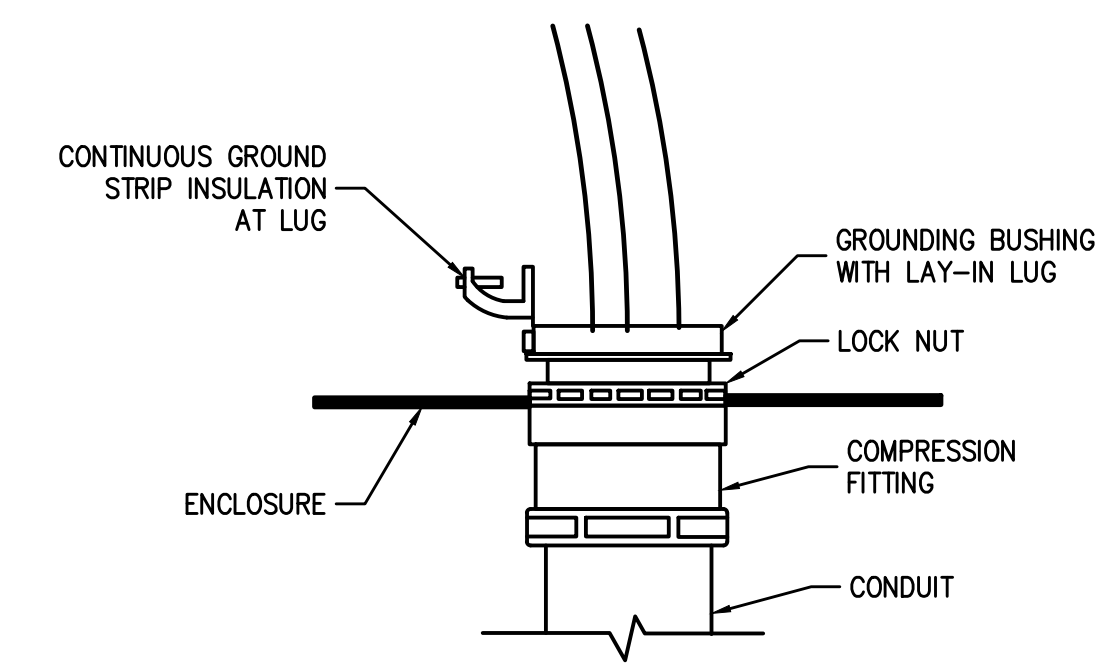
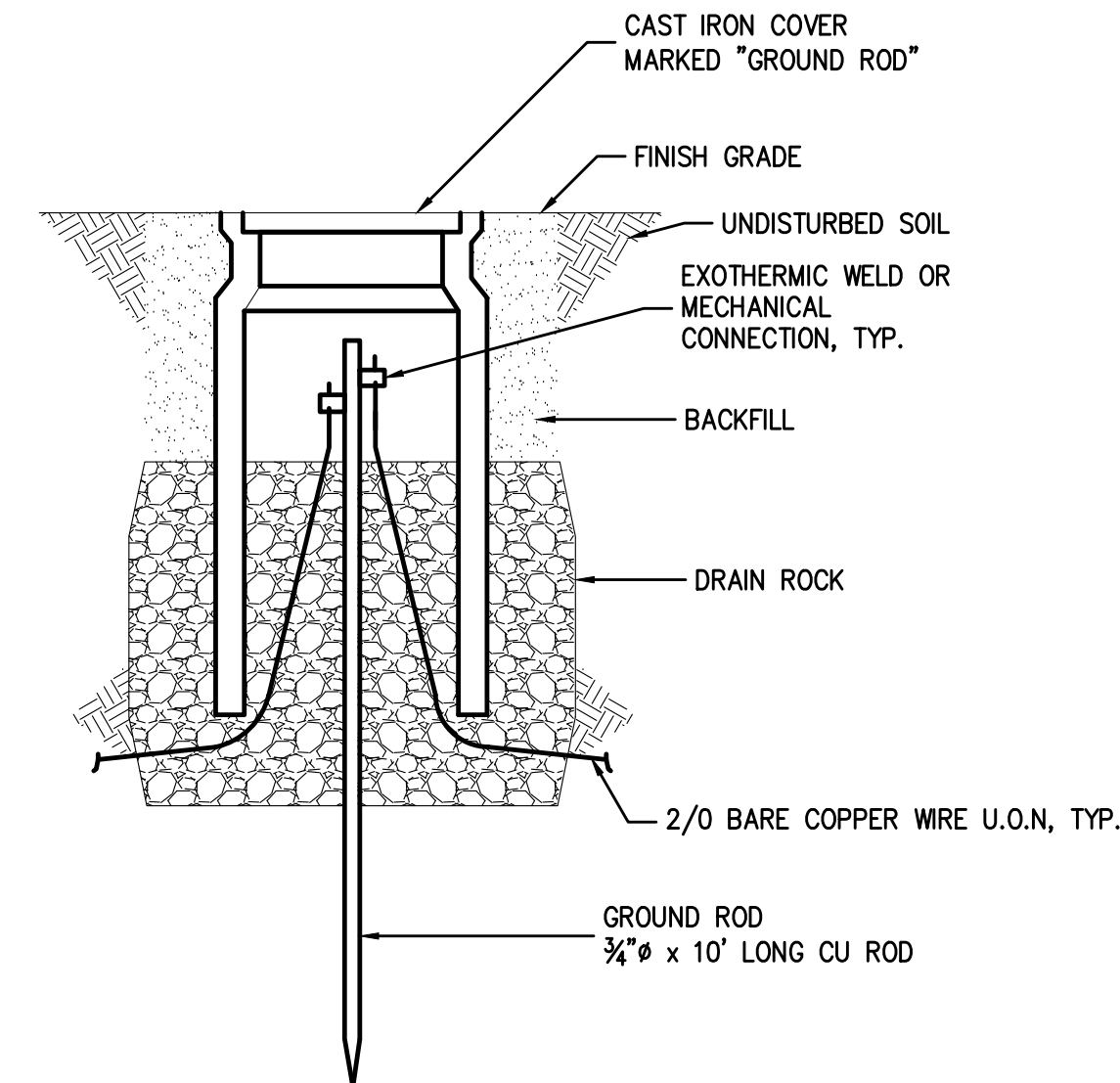
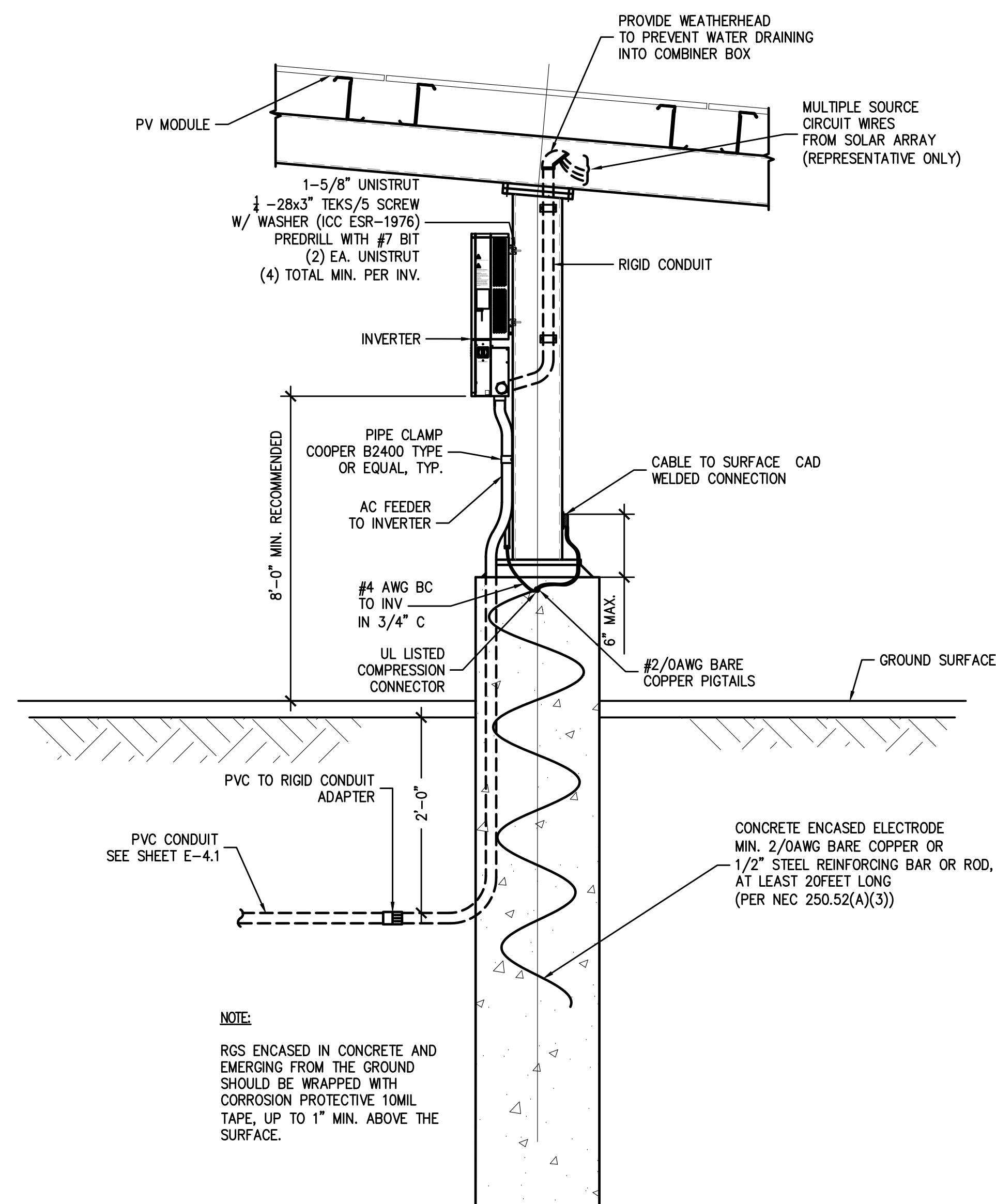


TYPICAL WIRING SPECIFICATIONS:

NOT ALL WIRING SHOWN MAY BE REQUIRED FOR THIS INSTALLATION, SEE DAS LINE DIAGRAM.







**NOTES:**

1. GROUNDING CONNECTION SHALL COMPLY WITH NEC250.8(A).
2. WELDS SHALL BE COVERED WITH 'COLD GALVANIZING' COMPOUND.



CONSULTANT

**BLYMYER**  
ENGINEERS  
1101 MARINA VILLAGE PARKWAY #100  
ALAMEDA, CA 94501 510.521.3773

STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2018 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

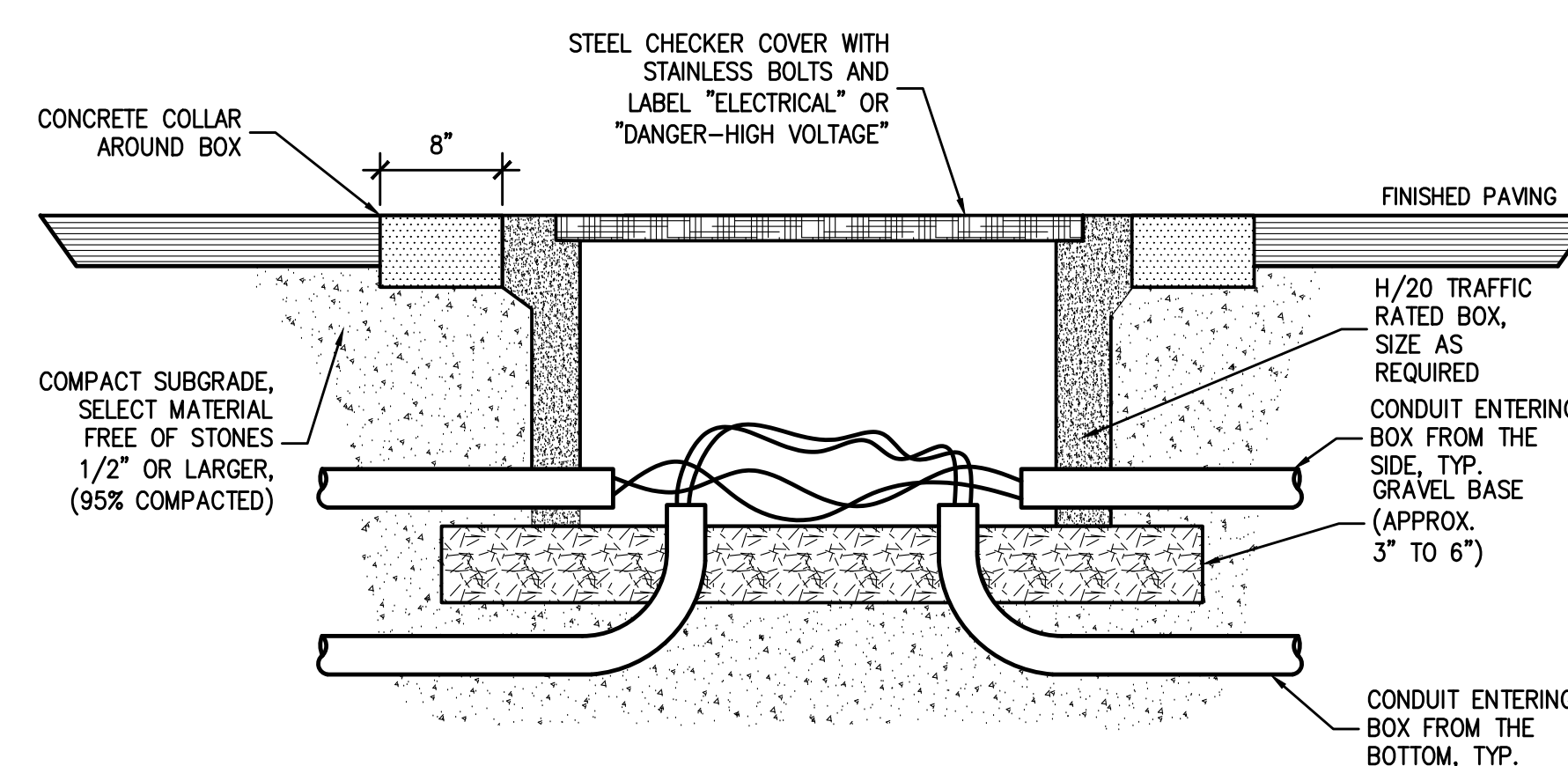
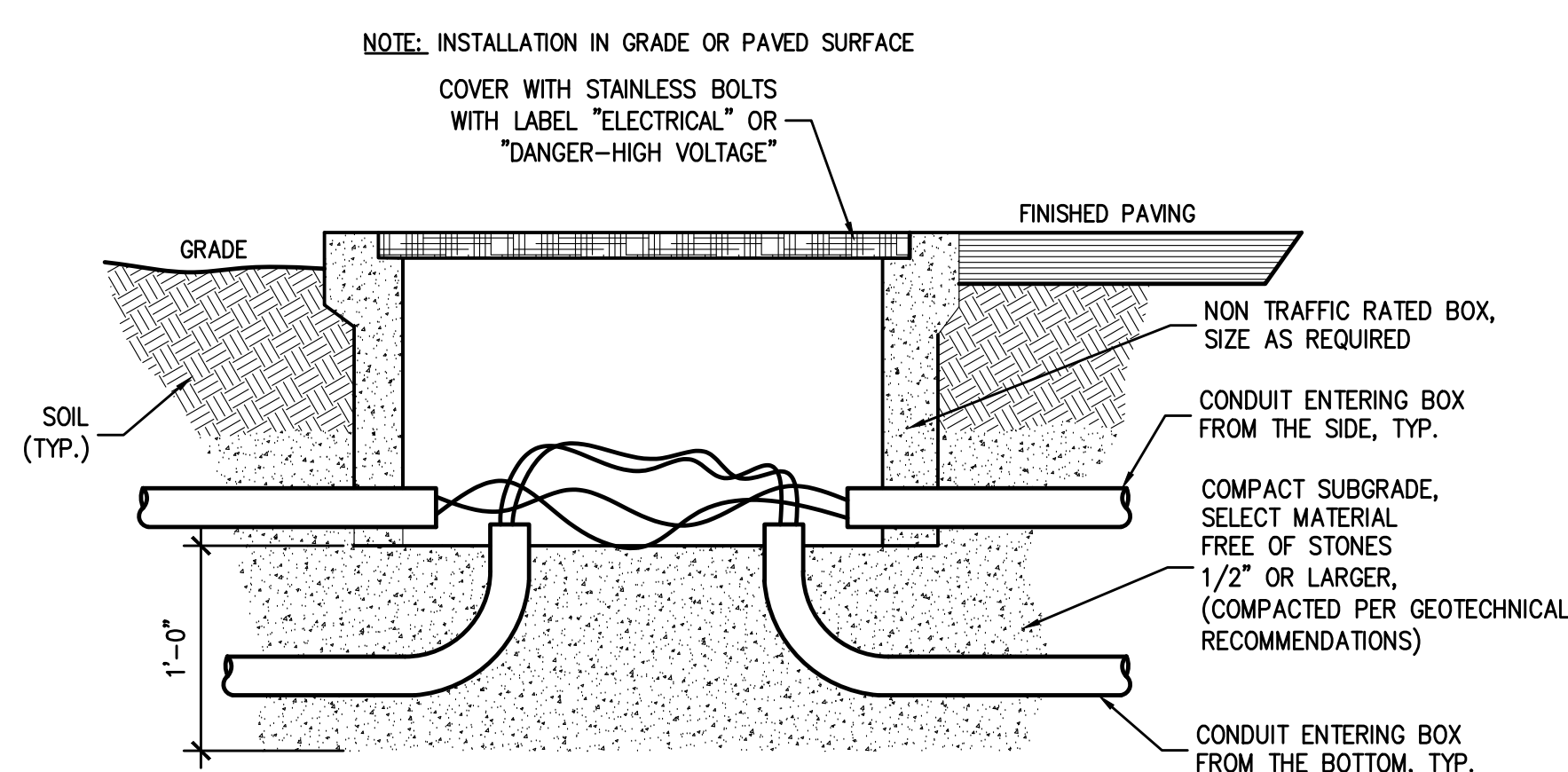
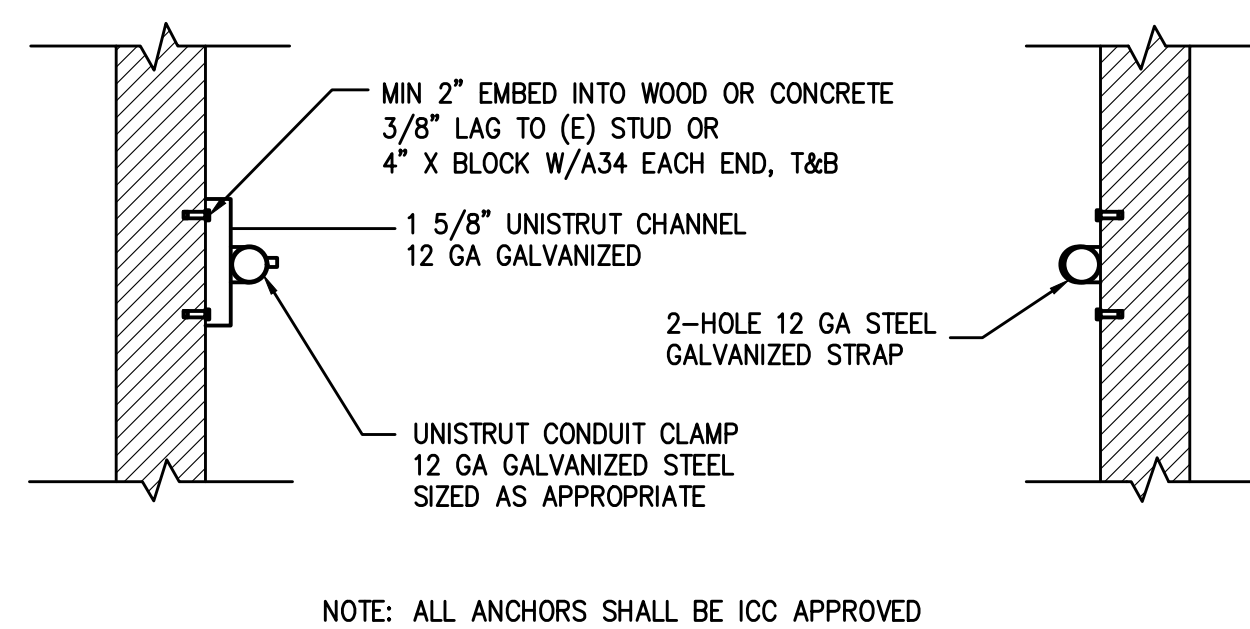
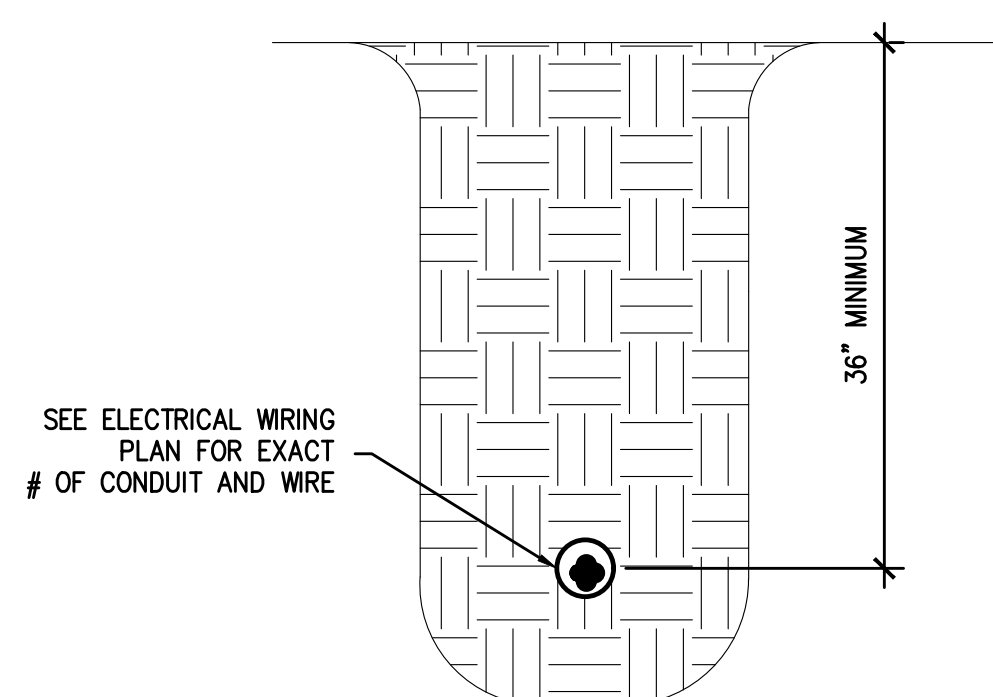
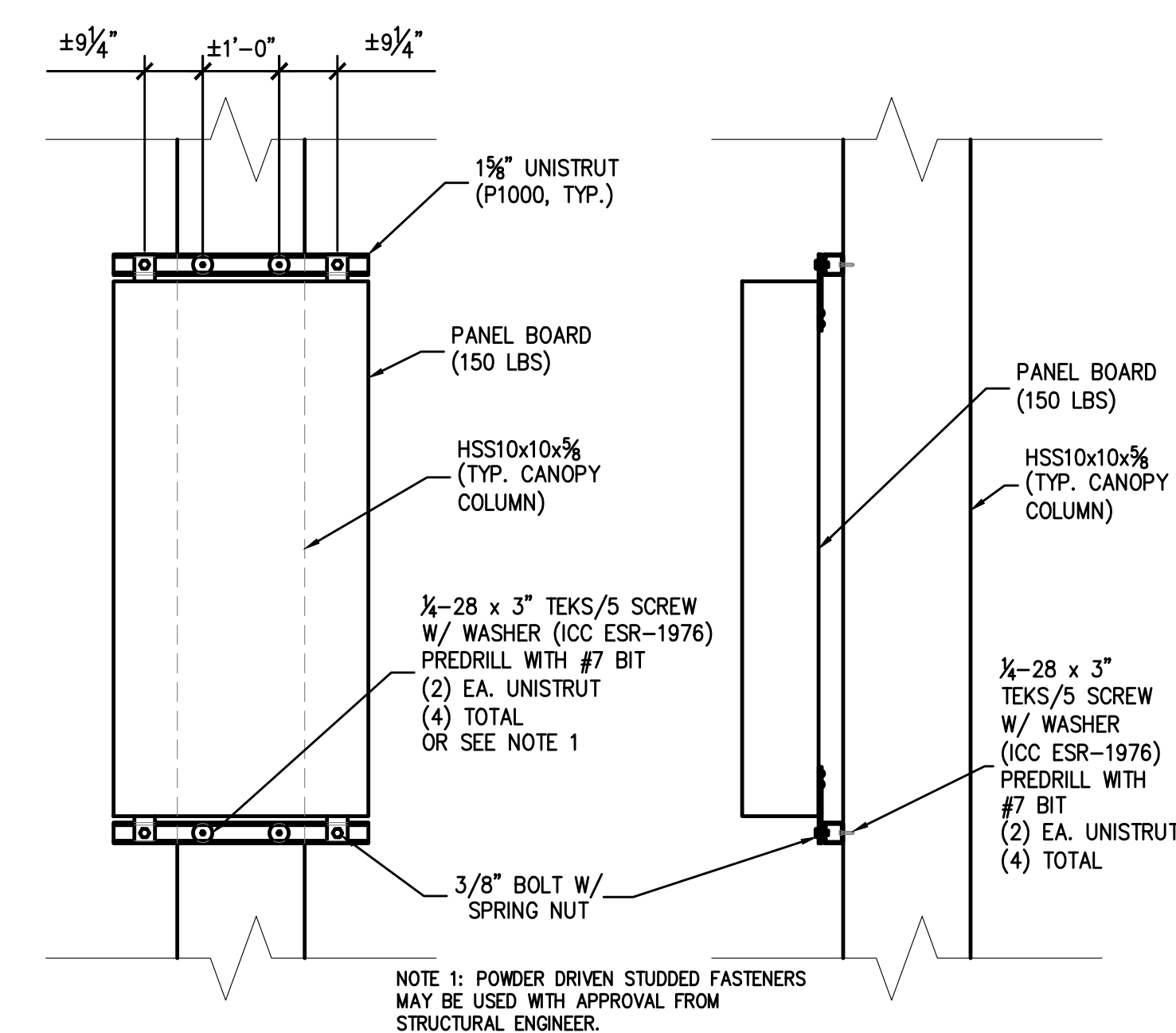
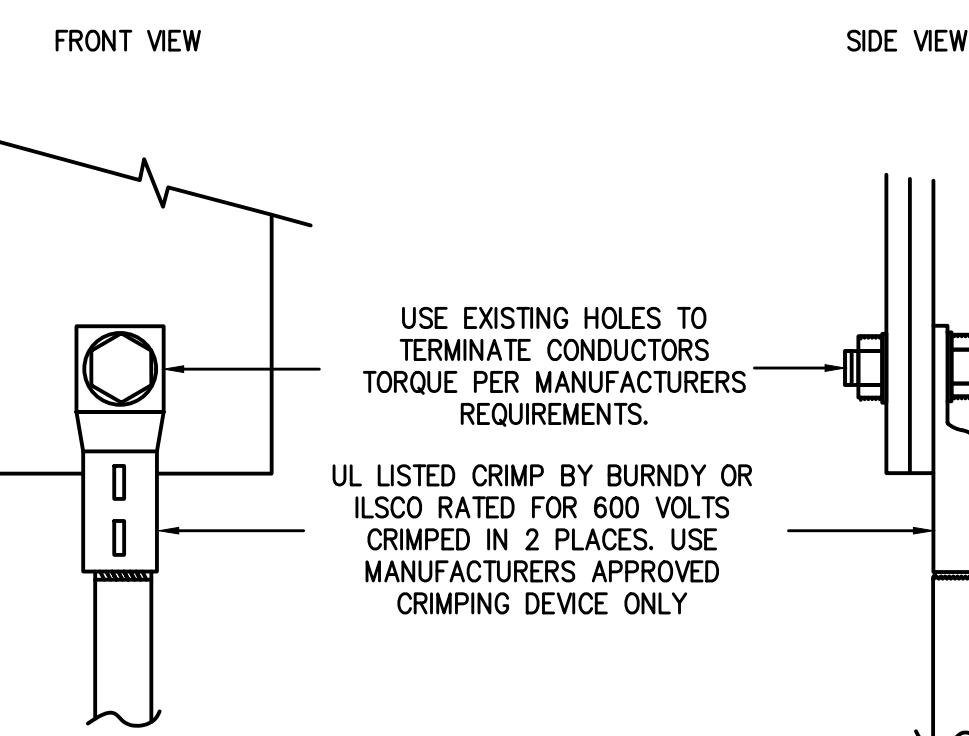
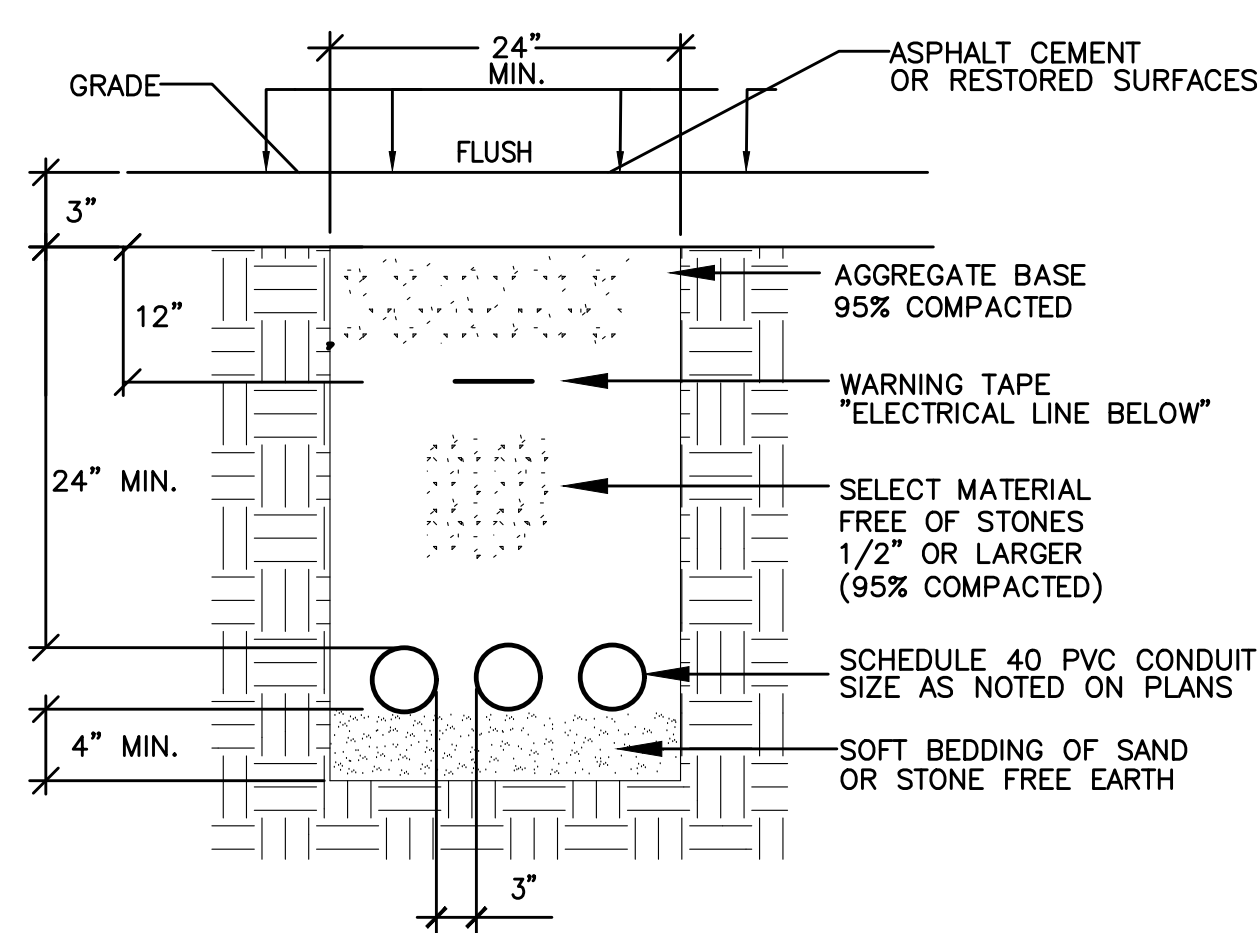
## GROUNDING DETAILS

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: DG       | SCALE: NO SCALE |
| SHEET NUMBER    |                 |

## E-7.0

## PRELIMINARY

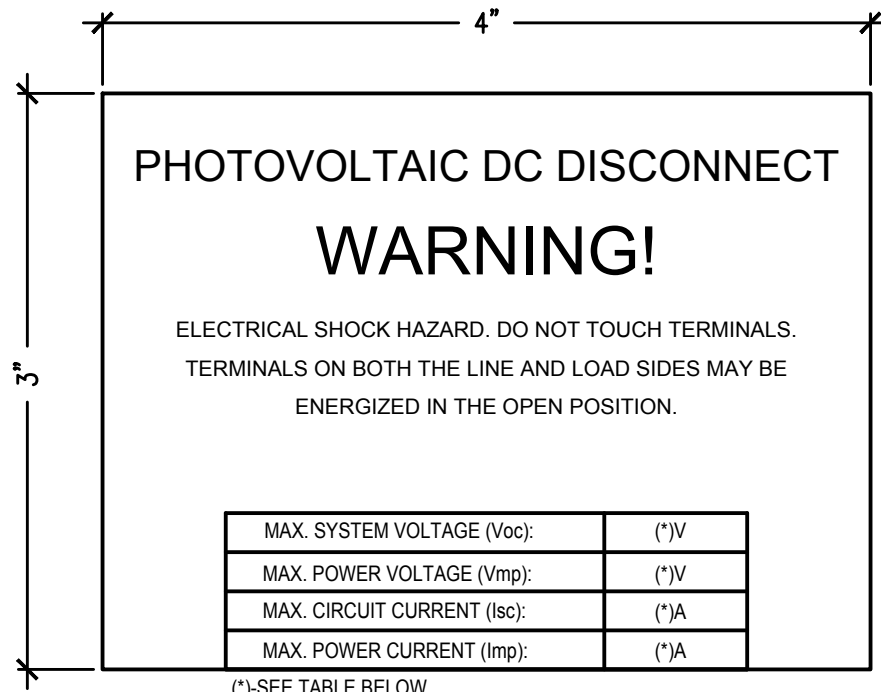




| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2018 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |



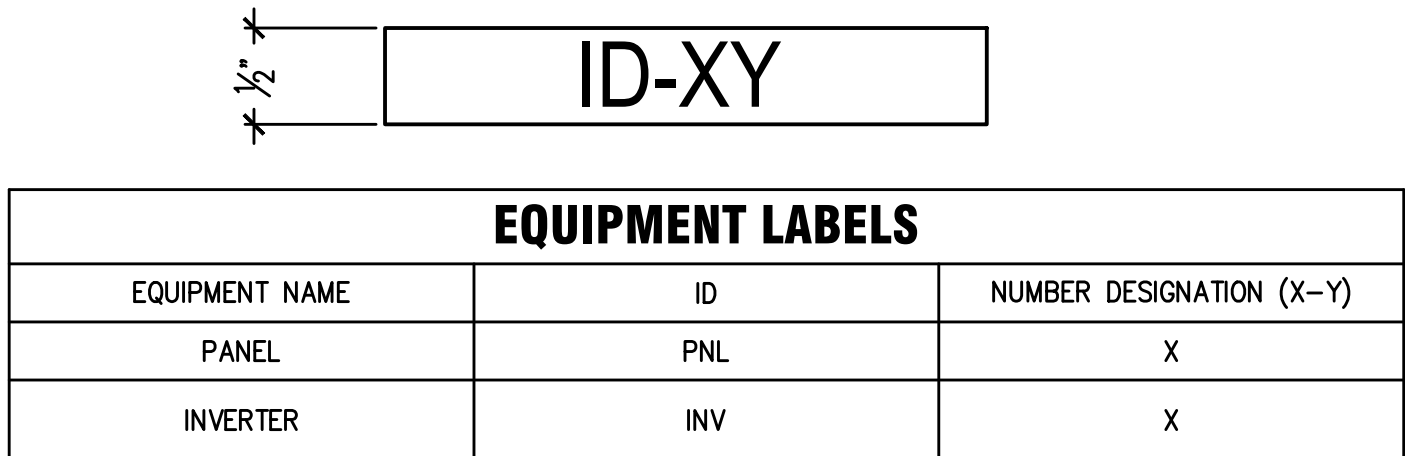
L:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 E-9.0.dwg February 15, 2019 -- 10:51AM rthabet



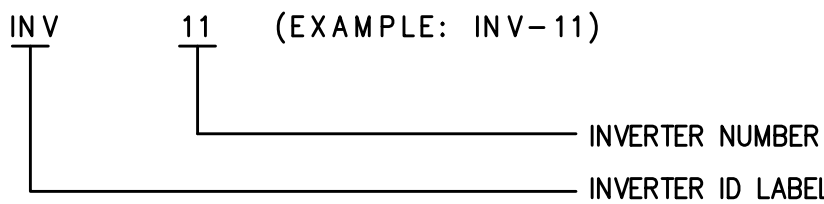
| DC SYSTEM VALUES                  |       |       |
|-----------------------------------|-------|-------|
| NUMBER OF MODULES PER STRING      | 15    | 16    |
| STRING OPEN CIRCUIT VOLTAGE (Voc) | 708.0 | 755.2 |
| STRING MAX POWER VOLTAGE (Vmp)    | 597.0 | 636.8 |

- NOTES:
1. PLACE SIGN ADJACENT TO COMBINER BOX DISCONNECT SWITCH.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: 0.16", .25", AND 0.08" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: TEXT PRINTED ON ALUMINUM BACKING WITH UV-RATED PLASTIC LAMINATE COATING AND OUTDOOR RATED ADHESIVE.
  5. MAXIMUM TOTAL OPERATING CURRENT, MAXIMUM TOTAL SHORT CIRCUIT CURRENT DIFFER BETWEEN COMBINER BOXES. REFER TO DC SYSTEM TABLE FOR EXACT VALUES.
  6. APPLICABLE NEC SECTIONS: 690.53, 690.14(C)(2), 690.17(4), AND 690.35(F)

1 PV SYSTEM SOURCE DC DISCONNECT  
E-9.0 SCALE: NTS

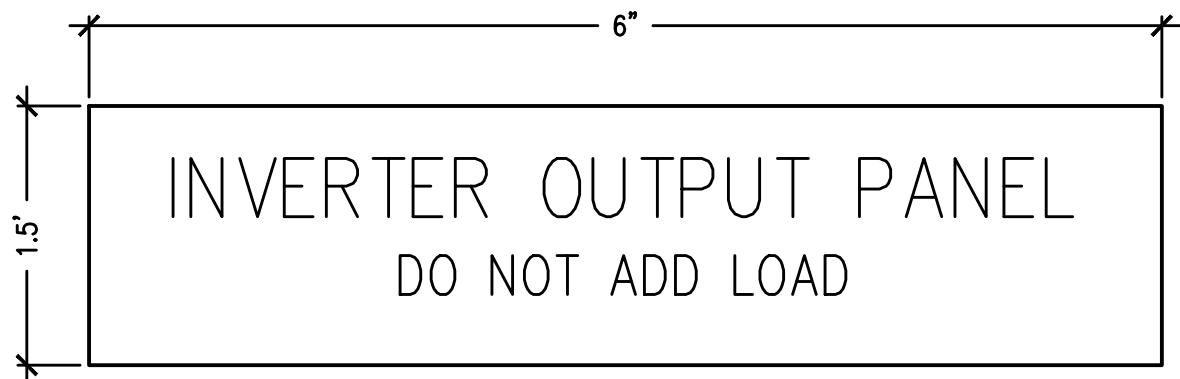


EQUIPMENT NUMBERING CONVENTION



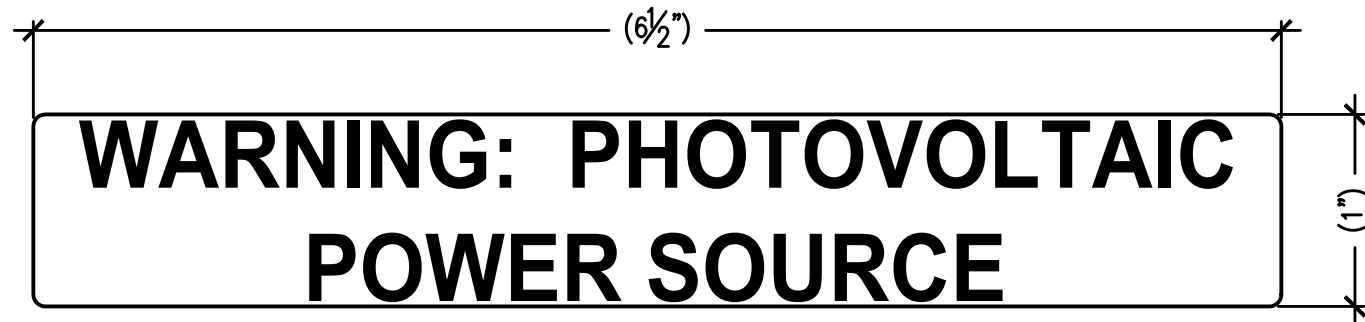
- NOTES:
1. PLACE LABEL ON FRONT OF EQUIPMENT, TYP.
  2. BLACK BACKGROUND, WHITE LETTERING
  3. TEXT HEIGHT: 0.34" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: ENGRAVED ON OUTDOOR-RATED PLASTIC LAMINATE WITH ADHESIVE BACKING SUITABLE FOR ENVIRONMENT

2 EQUIPMENT LABEL  
E-9.0 SCALE: NTS



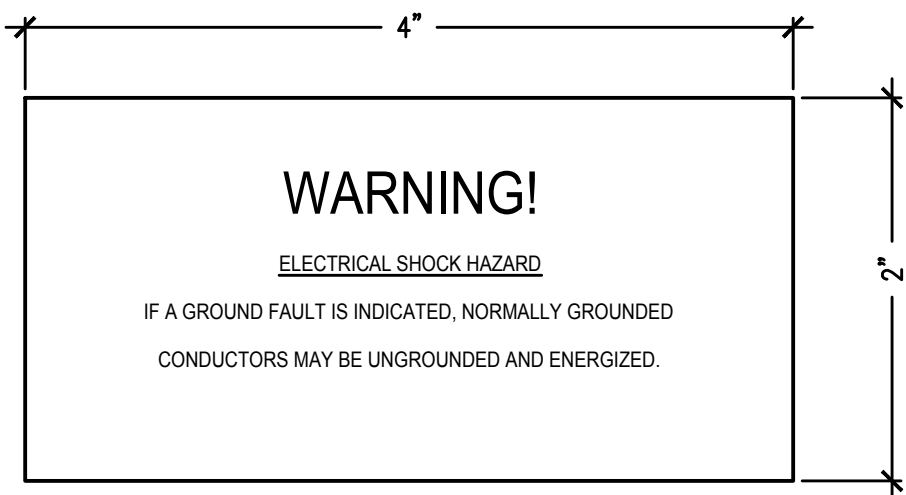
- NOTE:
1. INVERTER IDENTIFICATION LABEL
  2. BLACK BACKGROUND
  3. WHITE LETTERING
  4. MATERIAL NOTE: ENGRAVED ON OUTDOOR-RATED PLASTIC LAMINATE WITH ADHESIVE BACKING SUITABLE ENVIRONMENT.
  5. SHANNON OR SIMILAR FONT, NON-BOLD

3 INVERTER PANEL LABEL  
E-9.0 SCALE: NTS



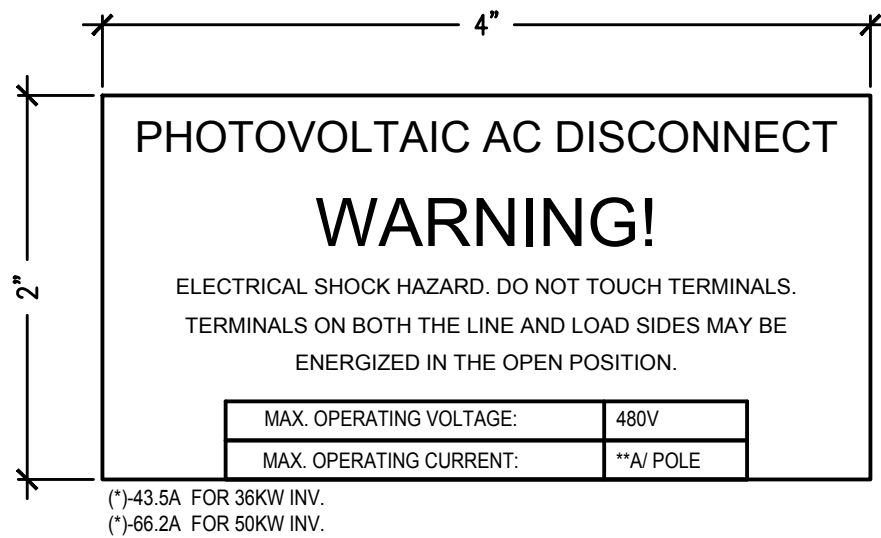
- NOTES:
1. PLACE LABEL ON: EXPOSED DC CONDUIT, RACEWAYS, CABLE TRAYS, AND OTHER WIRING METHODS, COVERS OR ENCLOSURES OF PULL BOXES AND JUNCTION BOXES. SPACING BETWEEN LABELS NOT TO EXCEED 10 FT.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: MIN. 5/8" HEIGHT, ALL CAPITAL LETTERS, ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: REFLECTIVE, WEATHER AND UV RESISTANT WITH DURABLE ADHESIVE SUITABLE FOR THE ENVIRONMENT.
  5. NEC 690.31(E)(3) AND (4)

4 PV SOURCE ENCLOSURE AND RACEWAY LABEL  
E-9.0 SCALE: NTS



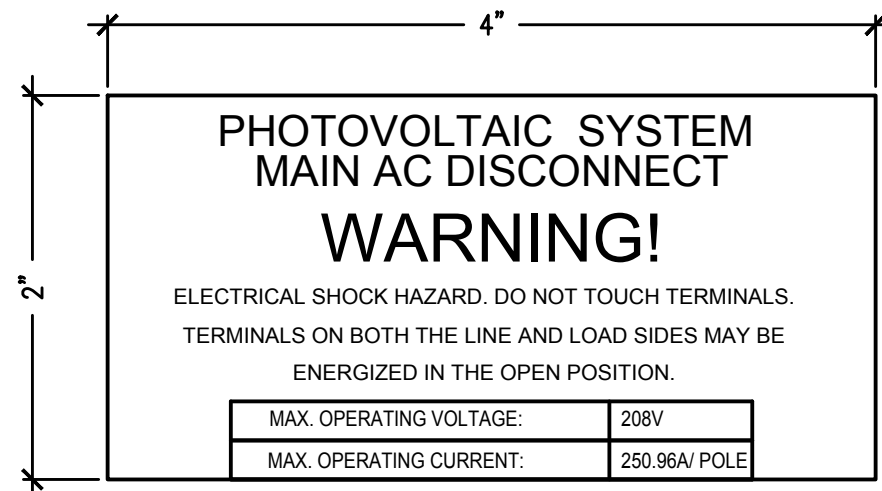
- NOTES:
1. PLACE LABEL NEAR GROUND FAULT INDICATOR IN A VISIBLE LOCATION.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: MIN. 0.22" AND 0.08" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: REFLECTIVE, WEATHER AND UV RESISTANT WITH DURABLE ADHESIVE SUITABLE FOR THE ENVIRONMENT.
  5. NEC 690.5(C)

5 INVERTER GROUND-FAULT WARNING  
E-9.0 SCALE: NTS



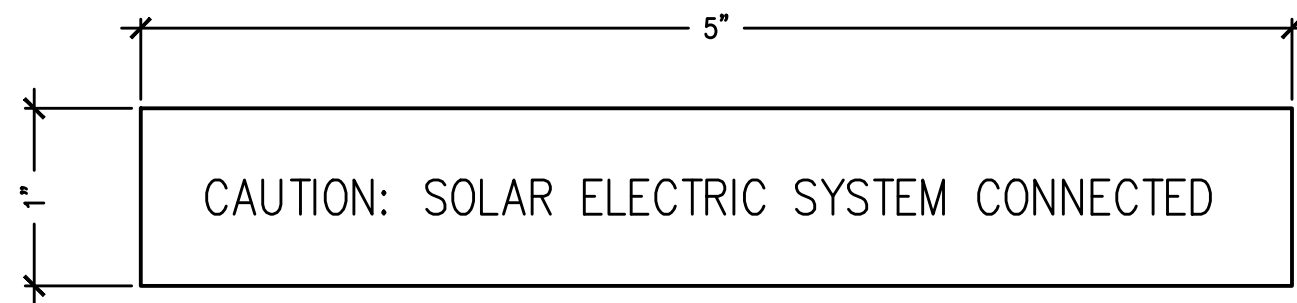
- NOTES:
1. PLACE SIGN ON OR ADJACENT TO INVERTER AC DISCONNECT.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: 0.25", 0.16", AND 0.08" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: TEXT PRINTED ON ALUMINUM BACKING WITH UV-RATED PLASTIC LAMINATE COATING AND OUTDOOR RATED ADHESIVE.
  5. NEC 690.54 AND 690.17(4)

6 INVERTER AC DISCONNECT  
E-9.0 SCALE: NTS



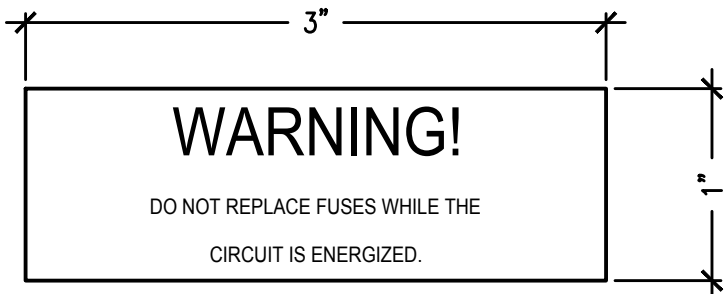
- NOTES:
1. PLACE SIGN ON OR ADJACENT TO UTILITY AC DISCONNECT.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: 0.25", 0.16", AND 0.08" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: TEXT PRINTED ON ALUMINUM BACKING WITH UV-RATED PLASTIC LAMINATE COATING AND OUTDOOR RATED ADHESIVE.
  5. NEC 690.54 AND 690.17(4)

7 PV SYSTEM UTILITY AC DISCONNECT  
E-9.0 SCALE: NTS



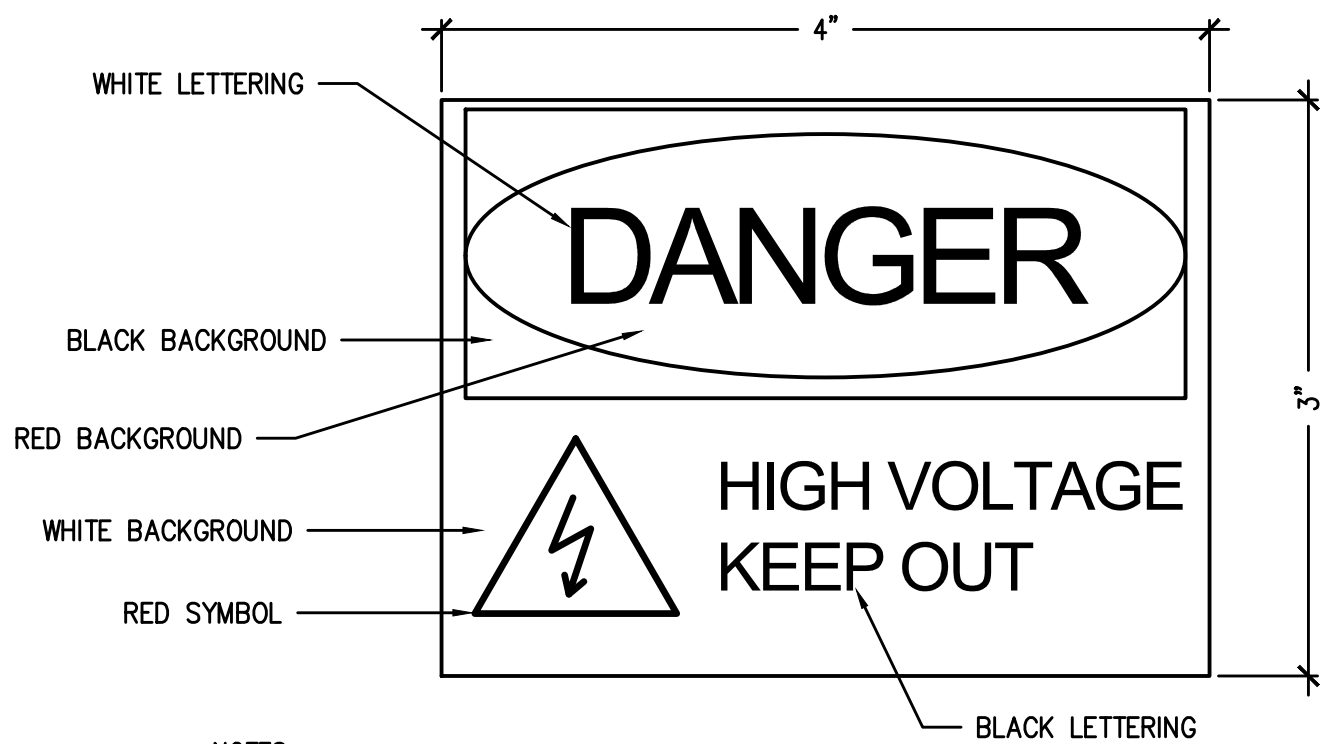
- NOTE:
1. RED BACKGROUND
  2. WHITE LETTERING
  3. MINIMUM 3/8" LETTER HEIGHT
  4. ALL CAPITAL LETTERS
  5. SHANNON OR SIMILAR FONT, NON-BOLD
  6. REFLECTIVE, WEATHER RESISTANT MATERIAL SUITABLE FOR THE ENVIRONMENT. (DURABLE ADHESIVE MATERIALS MAY MEET THIS REQUIREMENT)

8 MARKING FOR MAIN SERVICE / POI  
E-9.0 SCALE: NTS



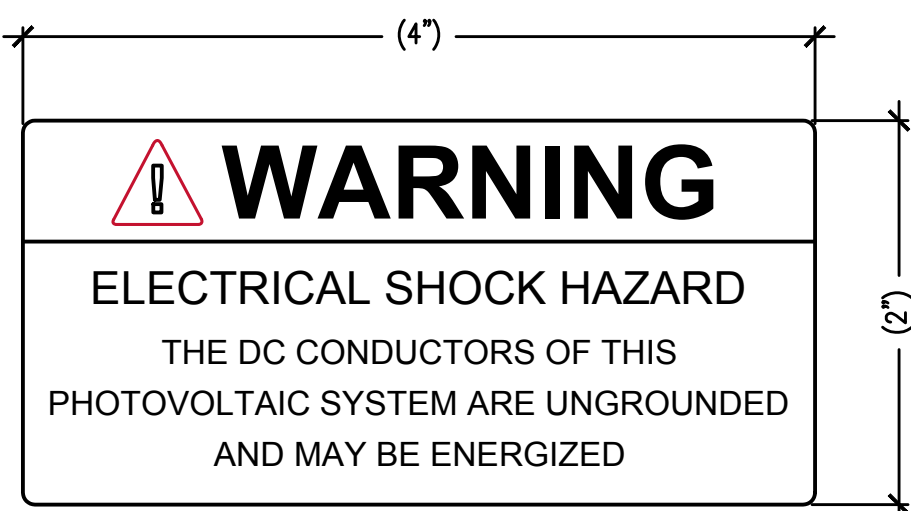
- NOTES:
1. PLACE LABEL ADJACENT TO INVERTER AND TRANSFORMER FUSES.
  2. RED BACKGROUND, WHITE LETTERING
  3. TEXT: MIN. 0.25" AND 0.08" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: REFLECTIVE, WEATHER AND UV RESISTANT WITH DURABLE ADHESIVE SUITABLE FOR THE ENVIRONMENT.
  5. NEC 225.70(A)(3)

9 MEDIUM VOLTAGE FUSE WARNING SIGN  
E-9.0 SCALE: NTS



- NOTES:
1. PLACE WARNING SIGN ON COMBINER BOXES, COMBINER PV TIE BOXES, INVERTERS, AND TRANSFORMERS OPERATING OVER 600V.
  2. COLOR SCHEME AS NOTED.
  3. TEXT: MIN. 0.5" AND 0.25" HEIGHT, ALL CAPITAL LETTERS ARIAL OR SIMILAR FONT, NON-BOLD
  4. MATERIAL: REFLECTIVE, WEATHER AND UV RESISTANT WITH DURABLE ADHESIVE SUITABLE FOR THE ENVIRONMENT.
  5. NEC 110.34(C) and 225.70(A)(1)

10 MEDIUM VOLTAGE WARNING SIGN  
E-9.0 SCALE: NTS



- NOTES:
1. RED BACKGROUND & WHITE LETTERING
  2. TEXT HEIGHT: 3/8", 1/8" & ALL CAPITAL LETTERS
  3. REFLECTIVE, WEATHER RESISTANT MATERIAL SUITABLE FOR THE ENVIRONMENT.
  4. MARKING FOR EACH JUNCTION BOX, COMBINER BOX, DISCONNECT PER NEC 690.35(F)

11 UNGROUNDED PV SOURCE MARKING  
E-9.0 SCALE: NTS

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |



**YASKAWA**

# PVI 23TL, PVI 28TL & PVI 36TL

## 3-Ph Transformerless Commercial String Inverters

### Features

- 1000 VDC
- Best in class efficiency
- Touch-safe fuses
- Dual & wide MPP tracking zones
- Modbus communications
- Integrated DC fused string combiner
- DC arc-fault protection
- PVI 36TL - UL 1741SA listed

### Options

- Web-based monitoring
- Shade cover
- DC/AC disconnect covers
- Roof mount array brackets
- DC combiners bypass

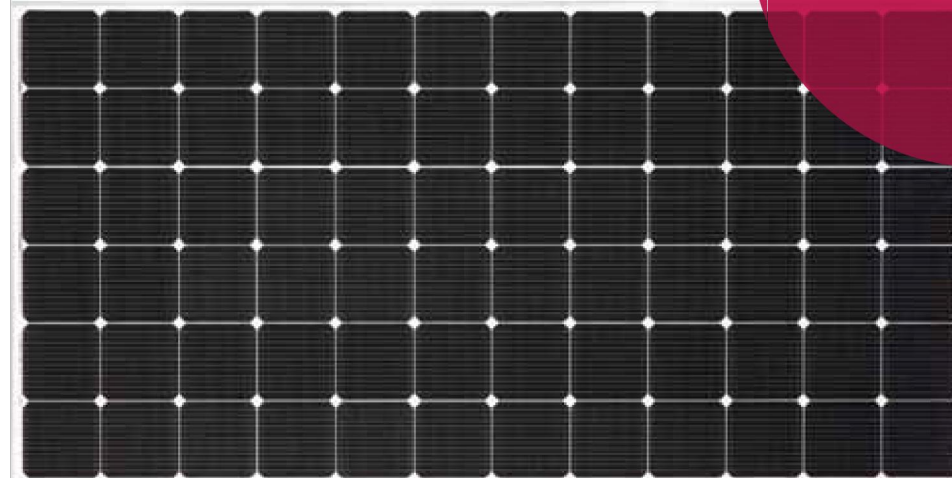
Yaskawa Solectria Solar's PVI 23TL, PVI 28TL, and PVI 36TL are compact, transformerless three-phase inverters with a dual MPP tracker. These inverters come standard with AC and DC disconnects, user-interactive LCD, and an integrated fused string combiner. Its small, lightweight design makes for quick and easy installation and maintenance. These inverters include an enhanced DSP control, comprehensive protection functions, and advanced thermal design enabling highest reliability and uptime. They also come with a standard 10 year warranty with options for 15 and 20 years. Options include web-based monitoring, shade cover, DC/AC disconnect covers, DC combiners bypass, and roof mount array bracket.

**SOLECTRIA SOLAR**



**LG**  
Life's Good

**Innovation for  
a Better Life**



**LG NeON<sup>®</sup> 2 72cell**

LG400NZW-AS

**72 cell**

LG's new module, LG NeON<sup>®</sup> 2, adapts Cello technology. Cello technology replaces 3 busbars with 12 thin wires to enhance power output and reliability. LG NeON<sup>®</sup> 2 demonstrates LG's efforts to increase customer's value beyond efficiency. It features enhanced warranty, durability, performance under real environment, and aesthetic design suitable for roofs.











**Enhanced Performance Warranty**

LG NeON<sup>®</sup> 2 has an enhanced performance warranty. The annual degradation has fallen from -0.6%/yr to -0.5%/yr. Even after 25 years, the cell guarantees 1.2% more output than the previous LG NeON<sup>®</sup> 2 modules.



**High Power Output**

Compared with previous models, the LG NeON<sup>®</sup> 2 has been designed to significantly enhance its output efficiency, thereby making it efficient even in limited space.



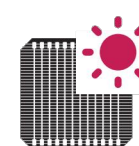
**Aesthetic Roof**

LG NeON<sup>®</sup> 2 has been designed with aesthetics in mind; thinner wires that appear all black at a distance. The product may help increase the value of a property with its modern design.



**Outstanding Durability**

With its newly reinforced frame design, LG has extended the warranty of the LG NeON<sup>®</sup> 2 for an additional 2 years. Additionally, LG NeON<sup>®</sup> 2 can endure a front load up to 5400 Pa, and a rear load up to 4300 Pa.



**Better Performance on a Sunny Day**

LG NeON<sup>®</sup> 2 now performs better on sunny days thanks to its improved temperature coefficient.



**Double-Sided Cell Structure**

The rear of the cell used in LG NeON<sup>®</sup> 2 will contribute to generation, just like the front; the light beam reflected from the rear of the module is reabsorbed to generate a great amount of additional power.

About LG Electronics

LG Electronics is a global player who has been committed to expanding its operations with the solar market. The company first embarked on a solar energy source research program in 1985, supported by LG Group's vast experience in the semi-conductor, LCD, chemistry, and materials industries. In 2010, LG Solar successfully released its first Mono X<sup>®</sup> series to the market, which is now available in 32 countries. The LG NeON<sup>®</sup> (previously known as Mono 2<sup>®</sup> NeON) and the LG NeON<sup>®</sup> 2 won the "Transformer Award" in 2013 and 2015, which demonstrates LG Solar's lead, innovation and commitment to the industry.

PVI 23/28/36TL

# Specifications

|                                              | PVI 23TL                                                               | PVI 28TL                                                                          | PVI 36TL                          |
|----------------------------------------------|------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------|
| <b>DC Input</b>                              |                                                                        |                                                                                   |                                   |
| Absolute Maximum Input Voltage               | 1000 VDC                                                               | 1000 VDC                                                                          | 1000 VDC                          |
| Maximum Power Input Voltage Range (MPPT)     | 480-800 VDC                                                            | 500-800 VDC                                                                       | 540-800 VDC                       |
| Operating Voltage Range (MPPT)               | 240-960 VDC                                                            | 240-960 VDC                                                                       | 240-960 VDC                       |
| MPPT Trackers                                | 2 with 4-fused inputs per tracker                                      | 2 with 4-fused inputs per tracker                                                 | 2 with 5-fused inputs per tracker |
| Maximum Operating Input Current              | 29 A per MPPT (50 A)                                                   | 29 A per MPPT (58 A)                                                              | 35 A per MPPT (70 A)              |
| Maximum Available PV Current (see p. 120)    | 41 A per MPPT (82 A)                                                   | 42 A per MPPT (86 A)                                                              | 52.5 A per MPPT (105 A)           |
| Maximum PV Power (per MPPT)                  | 15.5 kW                                                                | 19 kW                                                                             | 27 kW                             |
| Strike Voltage                               | 330 V                                                                  | 330 V                                                                             | 330 V                             |
| <b>AC Output</b>                             |                                                                        |                                                                                   |                                   |
| Nominal Output Voltage                       | 480 VAC, 3-Ph                                                          | 480 VAC, 3-Ph                                                                     | 480 VAC, 3-Ph                     |
| AC Voltage Range                             | +12/-10%                                                               | +12/-10%                                                                          | +12/-10%                          |
| Continuous Output Power                      | 23 kW                                                                  | 29 kW                                                                             | 38 kW                             |
| Maximum Output Current                       | 27.7 A                                                                 | 33.7 A                                                                            | 43.5 A                            |
| Maximum Backfeed Current                     | 0 A                                                                    | 0 A                                                                               | 0 A                               |
| Nominal Output Frequency                     | 60 Hz                                                                  | 60 Hz                                                                             | 60 Hz                             |
| Output Power Factor                          | 59.3-60.5 Hz (adjustable 55-65 Hz)                                     | 59.3-60.5 Hz (adjustable 55-65 Hz)                                                | 57-63 Hz                          |
| Power Factor Unity                           | >0.99 (±0.8 adjustable)                                                | Unity, >0.99 (±0.8 adjustable)                                                    | Unity, >0.99 (±0.8 adjustable)    |
| Total Harmonic Distortion (THD) @ Rated Load | <0%                                                                    | <0%                                                                               | <0%                               |
| Grid Connection Type                         | 3-Ph + N/GND (4-wire)                                                  | 3-Ph + N/GND (4-wire)                                                             | 3-Ph + N/GND (4-wire)             |
| <b>Efficiency</b>                            |                                                                        |                                                                                   |                                   |
| Peak Efficiency                              | 96.6%                                                                  | 96.6%                                                                             | 96.5%                             |
| CEC Efficiency                               | 96.0%                                                                  | 96.0%                                                                             | 96.0%                             |
| Line Loss                                    | 2 W                                                                    | 2 W                                                                               | 2 W                               |
| <b>Integrated String Combiner</b>            |                                                                        |                                                                                   |                                   |
| Fused Positions                              | 8 fused positions (4 positions per MPPT) 15 A (fuse by-pass available) | 10 fused positions (5 positions per MPPT) 15 A or 30 A (only for combined inputs) |                                   |
| <b>Temperature</b>                           |                                                                        |                                                                                   |                                   |
| Ambient Temperature Range                    | -22°F to +140°F (-30°C to +60°C); Derating occurs over +45°C           |                                                                                   |                                   |
| Storage Temperature Range                    | No low temp limitation to +155°F (+70°C)                               |                                                                                   |                                   |
| Relative Humidity (non-condensing)           | Operating Altitude                                                     |                                                                                   |                                   |
| <b>Data Monitoring</b>                       |                                                                        |                                                                                   |                                   |
| Screen/View Web-Based Monitoring             | Options: External RS-485 Modbus RTU                                    | Options: External RS-485 Modbus RTU                                               |                                   |
| Revenue Grade Monitoring                     |                                                                        |                                                                                   |                                   |
| External Communication Interface             |                                                                        |                                                                                   |                                   |
| <b>Testing &amp; Certifications</b>          |                                                                        |                                                                                   |                                   |
| Safety Listings & Certifications             | UL 1741 / IEEE 1547, CSA C22.2#107.1, FCC part 15 B                    | UL 1741/ISA                                                                       |                                   |
| Advanced Grid Support Functionality          | CSA                                                                    |                                                                                   |                                   |
| <b>Warranty</b>                              |                                                                        |                                                                                   |                                   |
| Standard and Options                         | 10 Years Standard, Options for 15 and 20 Years                         |                                                                                   |                                   |
| <b>Enclosure</b>                             |                                                                        |                                                                                   |                                   |
| dBA (Decibel) Rating                         | < 50 dBA @ 3 m                                                         |                                                                                   |                                   |
| DC Disconnect                                | Standard, fully-integrated                                             |                                                                                   |                                   |
| Mounting Angle/Installation Angle            | 15° to 90° measured from horizontal                                    |                                                                                   |                                   |
| Dimensions (H x W x D)                       | 39.4 in. x 23.6 in. x 9.1 in. (1,001 x 600 x 232 mm)                   |                                                                                   |                                   |
| Weight                                       | 104 lbs (47.2 kg)                                                      |                                                                                   | 121 lbs (55 kg)                   |
| Enclosure Rating                             | Type 4X                                                                |                                                                                   | Type 4X                           |
| Enclosure Finish                             | Polyester Powder Coated Aluminum                                       |                                                                                   |                                   |

## SOLETRIA SOLAR

Yaskawa Electric Solar  
300 Merrimack Street  
Lawrence, MA 01843  
solar@yaskawa.com

1 (877) 683-2070  
Email: [inverter@soletria.com](mailto:inverter@soletria.com)

DOCR-07087-C | March 2018  
© 2018 Yaskawa Electric Solar

**YASKAWA**

# LG NeON<sup>2</sup> 72cell

LG40N2W-A5

## Mechanical Properties

|                        |                                                   |
|------------------------|---------------------------------------------------|
| Cells                  | 6 x 12                                            |
| Cell Vendor            | LG                                                |
| Cell Type              | Monocrystalline / N-type                          |
| Cell Dimensions        | 161.7 ± 161.7 mm / 6 inches                       |
| # of Busbar            | 12 (Main Wire Busbar)                             |
| Dimensions (L x W x H) | 2024 ± 1024 x 460 mm<br>79.69 ± 40.31 x 15.7 inch |
| Front Load             | S400PA                                            |
| Rear Load              | 4300PA                                            |
| Weight                 | 21.7 kg                                           |
| Connector Type         | MC4                                               |
| Junction Box           | IP68 with 3 Bypass Diodes                         |
| Cables                 | 1200 mm x 2 ea                                    |
| Glass                  | High Transmission Tempered Glass                  |
| Frames                 | Anodized Aluminum                                 |

## Certifications and Warranty

|                                                                              |                                                                                                                                |
|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Certifications                                                               | IEC 61215, IEC 61730-1/-2<br>UL 1703<br>IEC 61701 (Salt mist corrosion test)<br>IEC 62716 (Ammonia corrosion test)<br>ISO 9001 |
| Module Fire Performance (USA)                                                | Type 1                                                                                                                         |
| Fire Rating (CANADA)                                                         | Class C (ULC / ORO C1 T03)                                                                                                     |
| Product Warranty                                                             | 15 years                                                                                                                       |
| Output Warranty of Power                                                     | Linear warranty**                                                                                                              |
| ** 1 year -95%, 2/10 Year 1st year: 0.5% annual degradation, 0.25 years -86% |                                                                                                                                |

## Temperature Characteristics

|       |           |
|-------|-----------|
| NODT  | 45 ± 3 °C |
| Ptemp | -0.35%/°C |
| Voc   | -0.26%/°C |
| Isc   | 0.02 %/°C |

## Characteristic Curves

The figure contains two graphs:

- Top Graph:** A plot of Current (A) versus Voltage (V). It shows five power curves labeled 1000W, 800W, 600W, 400W, and 2000W. The voltage ranges from 0 to 50V, and current ranges from 0 to 1.6A.
- Bottom Graph:** A plot of No. of Cells (Pmax) (%) versus Temperature (°C). It shows two curves: one for Isc (increasing linearly from ~100% at 25°C to ~110% at 45°C) and one for Pmax (decreasing non-linearly from ~100% at 25°C to ~85% at 45°C).

## Electrical Properties (STC \*)

|                                                                                                                   |           |
|-------------------------------------------------------------------------------------------------------------------|-----------|
| Module                                                                                                            | 400W      |
| Maximum Power (Pmax)                                                                                              | 400       |
| MPP Voltage (Vmpp)                                                                                                | 40.5      |
| MPP Current (Impp)                                                                                                | 9.85      |
| Open Circuit Voltage (Voc)                                                                                        | 49.3      |
| Short Circuit Current (Isc)                                                                                       | 10.47     |
| Module Efficiency                                                                                                 | 19.3      |
| Operating Temperature                                                                                             | -40 ~ +80 |
| Maximum System Voltage                                                                                            | 1500 (UL) |
| Maximum Series Fuse Rating                                                                                        | 20        |
| Power Losses (%)                                                                                                  | 0 ~ 3     |
| * STC Standard Test Condition: Irradiance 1000 W/m², Ambient Temperature 25 °C, AM 1.5                            |           |
| ** The temperature power output is measured and determined by LG Electronics at its sole and absolute discretion. |           |
| The typical energy yield is estimated to be 2000kWh per kWp in 1000h/year < 25%.                                  |           |

## Electrical Properties (NOCT\*)

|                                                                                                           |      |
|-----------------------------------------------------------------------------------------------------------|------|
| Module                                                                                                    | 400W |
| Maximum Power (Pmax)                                                                                      | 296  |
| MPP Voltage (Vmpp)                                                                                        | 37.6 |
| MPP Current (Impp)                                                                                        | 7.89 |
| Open Circuit Voltage (Voc)                                                                                | 46.1 |
| Short Circuit Current (Isc)                                                                               | 8.61 |
| * NOCT Thermal Operating Cell Temperature: Irradiance 800W/m², ambient temperature 20 °C, wind speed 1m/s |      |

## Dimensions (mm/in)

The technical drawing provides the following dimensions:

- Overall Length:** 2024 mm (79.69 in)
- Overall Width:** 460 mm (18.11 in)
- Mounting Hole Spacing:** 161.7 mm (6.37 in)
- Mounting Hole Diameter:** Ø10 mm (Ø0.39 in)
- Busbar Spacing:** 12 mm (0.47 in)
- Cell Pitch:** 166.67 mm (6.56 in)
- Cell Size:** 161.7 mm × 66.67 mm (6.37 in × 2.62 in)
- Interdigitated Back Contact (IBC) Area:** Indicated on the rear surface.
- Distance between center of M-mounting holes:** Labeled as 'D'.

North America Solar Business Team  
 LG Electronics U.S.A., Inc.  
 1000 Sylvan Ave, Englewood Cliffs, NJ 07623  
[www.lgusa.com](http://www.lgusa.com)

Product specifications are subject to change without notice.

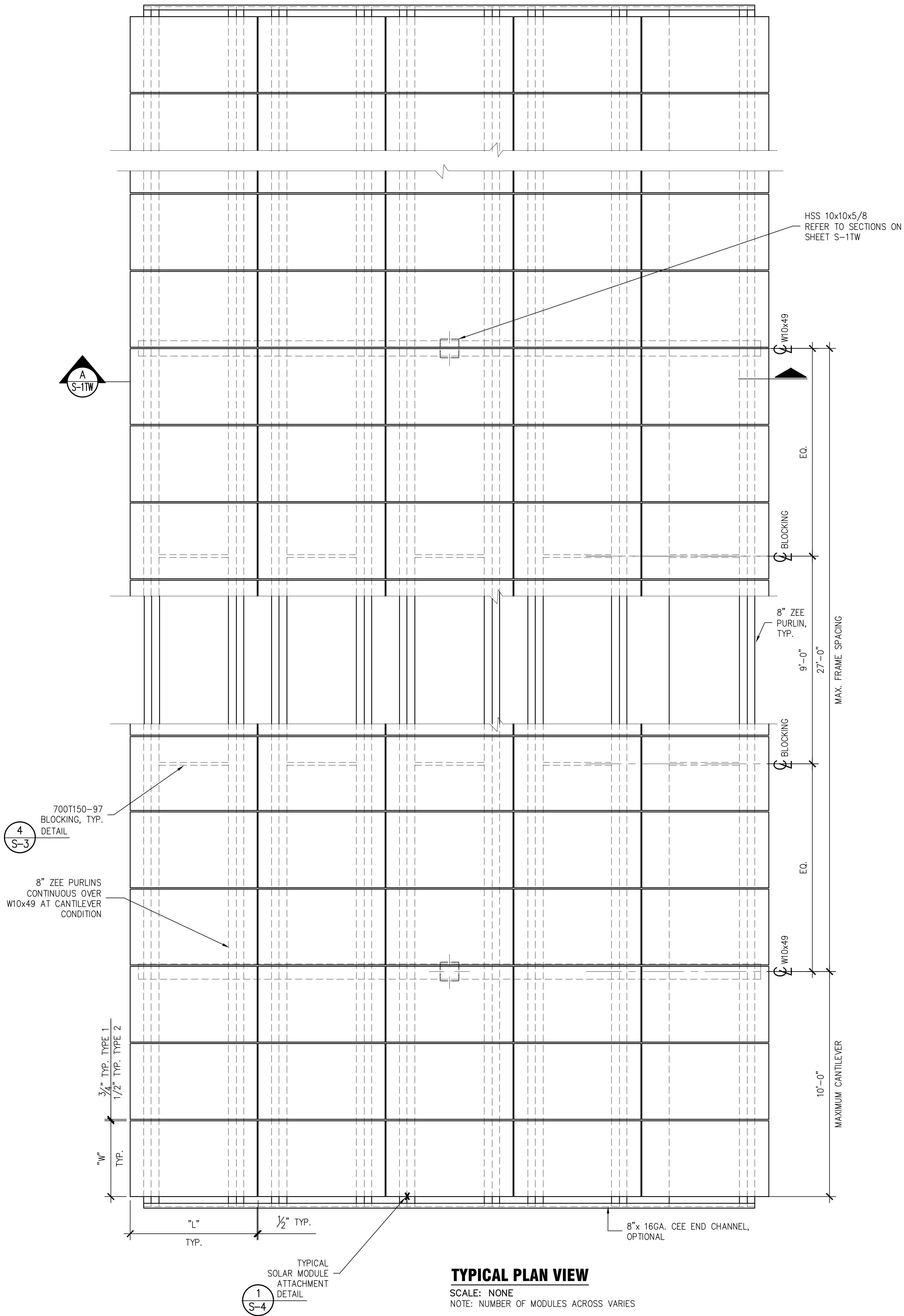
Copyright © 2017 LG Electronics. All rights reserved.  
 01/01/2017

Innovation for A Better life

|  <div style="display: inline-block; vertical-align: middle; text-align: left;"> <div style="font-size: 2em; font-weight: bold; margin-bottom: 5px;">SAGE</div> <div style="font-size: 0.8em; font-weight: normal; margin: 0;">RENEWABLES</div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                   |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------|-----------------|-----------------|------------|-----------------|-------------------|------------|---|-----------------------|------------|---|-----------------------|------------|--|--|--|--|--|--|--|--|--|--|--|--|
| <div style="text-align: center;"> <div style="font-size: 1.5em; font-weight: bold; margin-bottom: 5px;">CONSULTANT</div>  <div style="font-size: 1.2em; font-weight: bold; margin-bottom: 5px;">BLYMYER</div> <div style="font-size: 0.8em; font-weight: normal; margin: 0;">ENGINEERS</div> <div style="font-size: 0.7em; margin: 0;">1101 MARINA VILLAGE PARKWAY # 100<br/>ALAMEDA, CA 94501    510.521.3773</div> </div>                                                                                                                                                                                                                                    |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <div style="text-align: center;"> <div style="font-size: 0.8em; font-weight: bold; margin-bottom: 5px;">STAMP/SEAL</div> <div style="border: 1px solid black; width: 100px; height: 100px; margin: 0 auto;"></div> </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; font-size: 0.8em;">REV #</th> <th style="text-align: left; font-size: 0.8em;">DESCRIPTION</th> <th style="text-align: left; font-size: 0.8em;">DATE</th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">A</td> <td>FOR CLIENT REVIEW</td> <td>12/10/2018</td> </tr> <tr> <td style="text-align: center;">B</td> <td>90% FOR CLIENT REVIEW</td> <td>01/15/2018</td> </tr> <tr> <td style="text-align: center;">C</td> <td>90% FOR CLIENT REVIEW</td> <td>02/15/2019</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table> |                       | REV #           | DESCRIPTION     | DATE       | A               | FOR CLIENT REVIEW | 12/10/2018 | B | 90% FOR CLIENT REVIEW | 01/15/2018 | C | 90% FOR CLIENT REVIEW | 02/15/2019 |  |  |  |  |  |  |  |  |  |  |  |  |
| REV #                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | DESCRIPTION           | DATE            |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | FOR CLIENT REVIEW     | 12/10/2018      |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| B                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 90% FOR CLIENT REVIEW | 01/15/2018      |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| C                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 90% FOR CLIENT REVIEW | 02/15/2019      |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <div style="font-size: 0.8em; font-weight: bold; margin-bottom: 5px;">PROJECT TITLE:</div> <div style="text-align: center;"> CITY OF SEASIDE CITY HALL<br/> PHOTOVOLTAIC ARRAYS<br/> 72 kWAC<br/> 440 HARCOURT AVE.<br/> SEASIDE, CA </div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <div style="font-size: 0.8em; font-weight: bold; margin-bottom: 5px;">SHEET TITLE:</div> <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 50px;">ELECTRICAL EQUIPMENT</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; font-size: 0.8em;">JOB NO.: 218061</td> <td style="width: 50%; font-size: 0.8em;">PROJECT MGR: SG</td> </tr> <tr> <td style="font-size: 0.8em;">DRAWN: BII</td> <td style="font-size: 0.8em;">SCALE: NO SCALE</td> </tr> </table>                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                       | JOB NO.: 218061 | PROJECT MGR: SG | DRAWN: BII | SCALE: NO SCALE |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| JOB NO.: 218061                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | PROJECT MGR: SG       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| DRAWN: BII                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | SCALE: NO SCALE       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |
| <div style="font-size: 0.8em; font-weight: bold; margin-bottom: 5px;">SHEET NUMBER</div> <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 5px;">E-10.0</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                       |                 |                 |            |                 |                   |            |   |                       |            |   |                       |            |  |  |  |  |  |  |  |  |  |  |  |  |



I:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 S-1.dwg February 15, 2019 -- 2:53PM egr/bis



**TYPICAL PLAN VIEW**  
SCALE: NONE  
NOTE: NUMBER OF MODULES ACROSS VARIES

**GENERAL NOTES:**

- REFER TO DRAWING S-4 FOR TYPICAL SOLAR MODULE AND ZEE DIMENSIONS "L", "W", "B", "A" AND "T".
- ALL PERTINENT DIMENSIONS SHALL BE FIELD VERIFIED BY CONTRACTOR PRIOR TO FABRICATION AND INSTALLATION.
- CHANGES FROM THE CONTRACT DRAWINGS SHALL BE MADE ONLY WITH THE APPROVAL OF THE ENGINEER AND AHJ.

**CONCRETE NOTES:**

- CONSTRUCTION SHALL CONFORM TO 2016 C.B.C. AND LOCAL REQUIREMENTS.
- ALL CONCRETE WORK SHALL COMPLY WITH ACI 301-2016 & 318-2014 EDITIONS.
- CONCRETE SHALL BE 3,000 psi @28 DAY COMPRESSIVE STRENGTH
- AGGREGATE GRADATION AND QUALITY SHALL BE IN ACCORDANCE WITH ACI 302-IR.
- REINFORCEMENT SHALL BE ASTM A615 GR60.
- MINIMUM CONCRETE COVER SHALL BE 3" TO EARTH, 2" TO SKY.
- GROUT BELOW BASE PLATES SHALL BE NON-SHRINK WITH 5,000 psi @ 28 DAY COMPRESSIVE STRENGTH. MIXING AND PLACEMENT PER MANUFACTURER'S RECOMMENDATIONS.
- THE SURFACE OF ALL HORIZONTAL CONSTRUCTION JOINTS SHALL BE CLEANED AND ROUGHENED BY EXPOSING CLEAN AGGREGATE SOLIDLY EMBEDDED IN MORTAR MATRIX. IN THE EVENT THAT THE CONTACT SURFACE BECOMES COATED WITH EARTH, SAWDUST, ETC., AFTER BEING CLEANED, THE ENTIRE SURFACE SO COATED SHALL BE RECLEANED.

**STEEL NOTES:**

- PLATES (UNLESS NOTED OTHERWISE) AND ANGLES: ASTM A36
- PLATE (WHERE NOTED): ASTM A572, GRADE 50
- STRUCTURAL TUBING (HSS): ASTM A500 GRADE B
- WIDE FLANGE BEAMS: ASTM A992
- ANCHOR BOLTS: ASTM F1554, GRADE 105 -- USE HEAVY HEX NUTS (ASTM A563 DH) AND ROUND HARDENED STEEL WASHERS (ASTM F436). ANCHOR BOLTS, NUTS AND WASHERS SHALL BE GALVANIZED.
- ALL STEEL FABRICATION SHALL COMPLY WITH 2010 AISC SPECIFICATIONS
- ALL WELDING SHALL COMPLY WITH LATEST AWS D1.1. USE E70XX ELECTRODES
- STRUCTURE SHALL BE GALVANIZED FOR COLUMN AND BEAM.
- ZEE PURLINS, CEE END CHANNEL, CEE BLOCKING AND 12 GA PLATE: ASTM A653, GRADE 55 WITH G60 OR G90 GALVANIZED.
- ZEE CLIP AND SOLAR WASHER: ASTM A653, HSLA GRADE 50 WITH G90 GALVANIZED.
- SELF DRILLING SCREWS SHALL BE INSTALLED PER MANUFACTURERS RECOMMENDATIONS UTILIZING A DEPTH SENSITIVE OR TORQUE LIMITING NOSE PIECE. TO ENSURE THAT THE SCREW IS SEATED BUT NOT TENSIONED.
- A325 BOLTS: USE LOAD INDICATOR WASHERS, TC BOLTS OR TIGHTEN USING TURN-OF-THE-NUT METHOD. USE ROUND HARDENED STEEL WASHERS (ASTM F436) UNDER THE NUT (ASTM A563 DH). FAYING SURFACES OF SLIP CRITICAL (SC) CONNECTIONS SHALL BE COATED WITH ZINC RICH PRIMER MEETING CLASS B REQUIREMENTS. BOLT, NUT AND WASHER SHALL BE GALVANIZED.
- NOTHING SHALL BE ATTACHED TO THE COLUMN IN THE PROTECTED ZONE (NO ERECTION AIDS, BOLTS, SCREWS OR SHOT-IN ATTACHMENTS).

**VERTICAL CLEARANCE NOTES:**

- CBC 11B-502.5 REQUIRES 98" VERTICAL CLEARANCE AT ALL ACCESSIBLE PARKING SPACES AND ROUTES LEADING THERETO.
- CBC 11B-503.5 REQUIRES 114" VERTICAL CLEARANCE AT ALL LOADING AISLES OF ACCESSIBLE DROP-OFF AREAS AND ROUTES LEADING THERETO.
- PROJECTIONS SHALL NOT ENCROACH INTO THE REQUIRED VERTICAL CLEAR SPACE OF FIRE LANES.

**SPECIAL INSPECTIONS:**

- DRILLED PIERS INSPECTION BY GEOTECHNICAL ENGINEER
- CONCRETE PLACEMENT



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

TYPICAL PHOTOVOLTAIC ARRAY  
"I" STRUCTURES

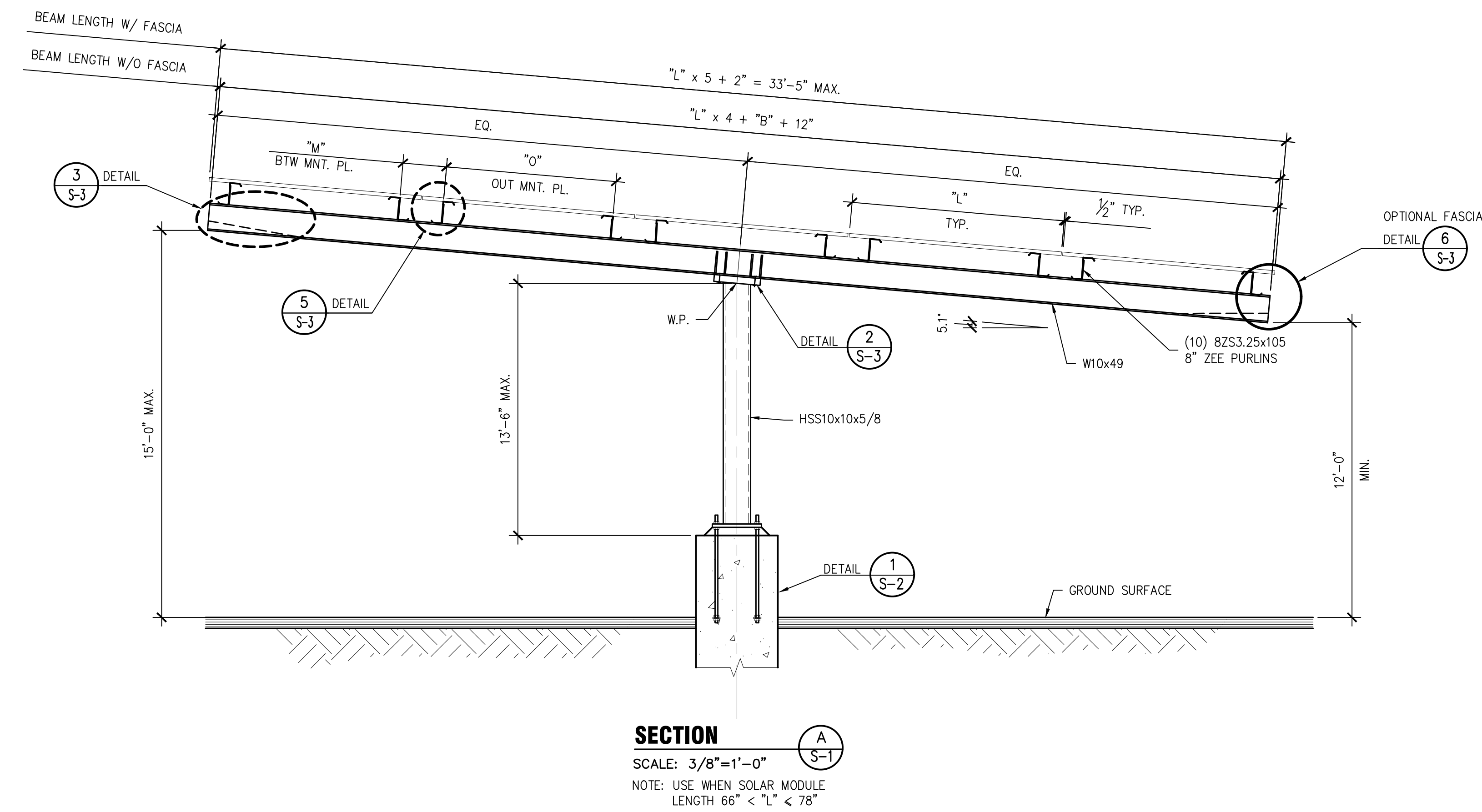
|                 |                      |
|-----------------|----------------------|
| JOB NO.: 218061 | PROJECT MGR: SG      |
| DRAWN: LW       | SCALE: 1" = 20' - 0" |
| SHEET NUMBER    |                      |

S-1

**PRELIMINARY**



I:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 S-1TW.dwg February 26, 2019 -- 8:46AM sgrbis



| SOLAR MODULE ATTACHMENT SPACING                                      |                                                                  |
|----------------------------------------------------------------------|------------------------------------------------------------------|
| "M"<br>(DIMENSION BETWEEN INSIDE FACES<br>OF PURLIN MOUNTING PLATES) | "O"<br>(DIMENSION TO OUTSIDE FACES<br>OF PURLIN MOUNTING PLATES) |
| "L" - "B" - 2½"                                                      | "B" + 3"                                                         |



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

TYPICAL PHOTOVOLTAIC ARRAY  
"T" STRUCTURES

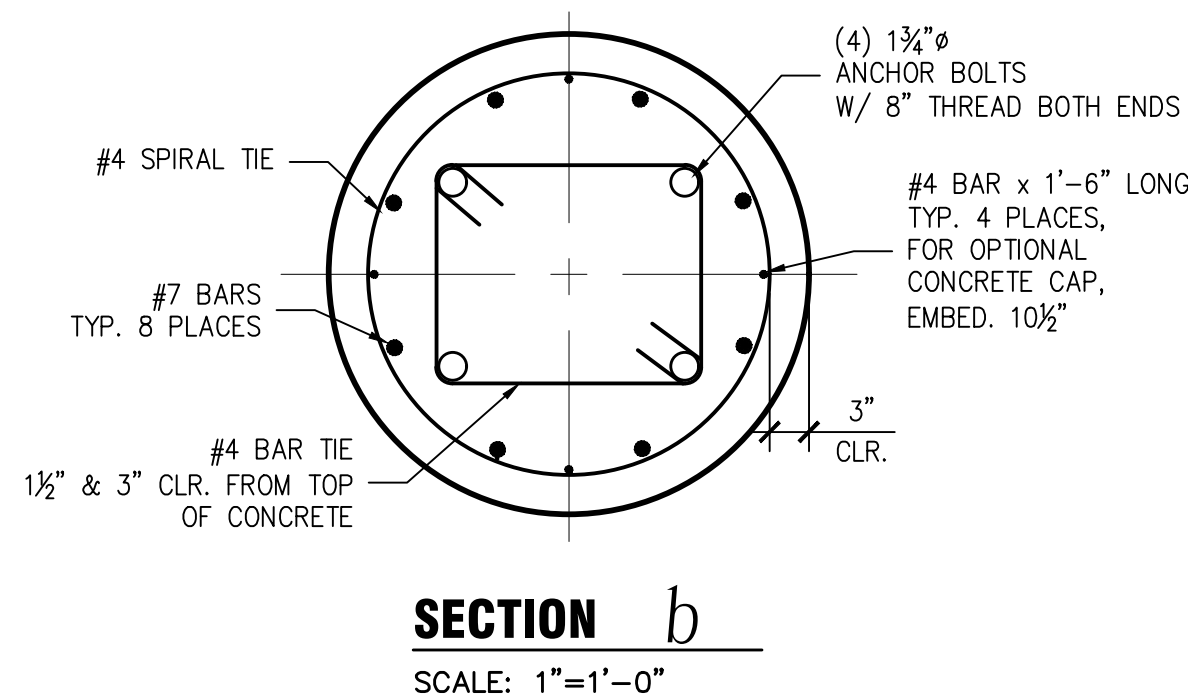
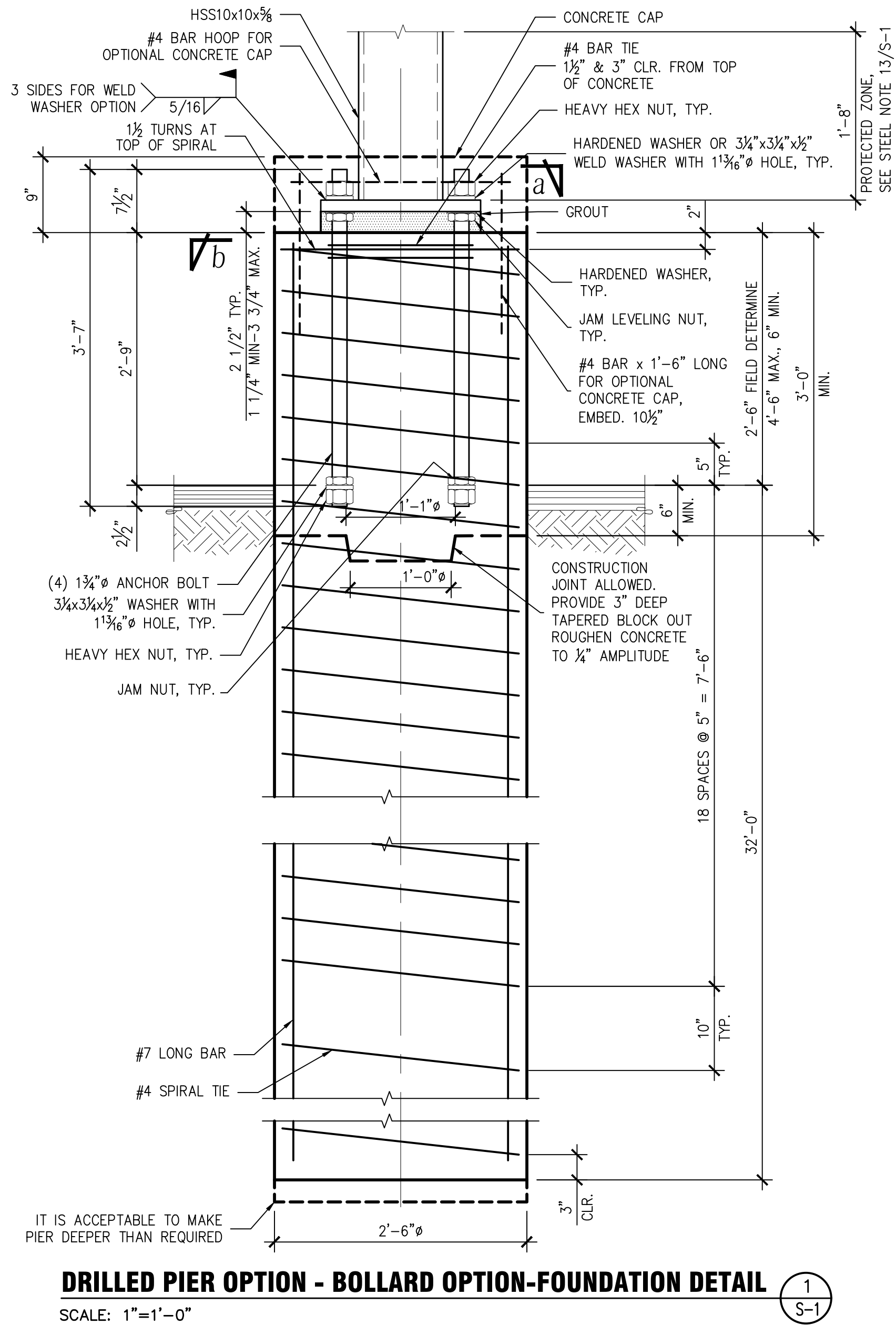
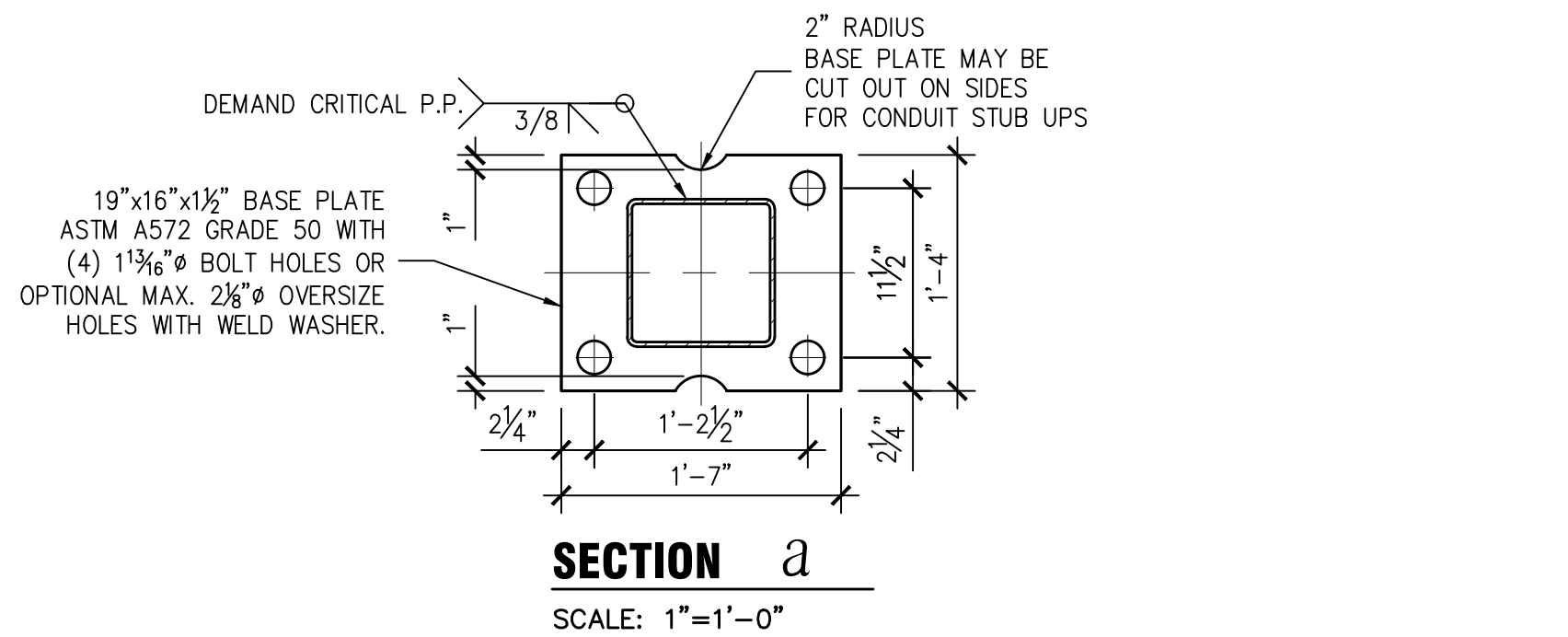
|                 |                       |
|-----------------|-----------------------|
| JOB NO.: 218061 | PROJECT MGR: SG       |
| DRAWN: LW       | SCALE: 3/8" = 1' - 0" |
| SHEET NUMBER    |                       |

S-1TW

PRELIMINARY



I:\Acad\2018.dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 S-2.dwg February 15, 2019 -- 3:01PM sgr/bis



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

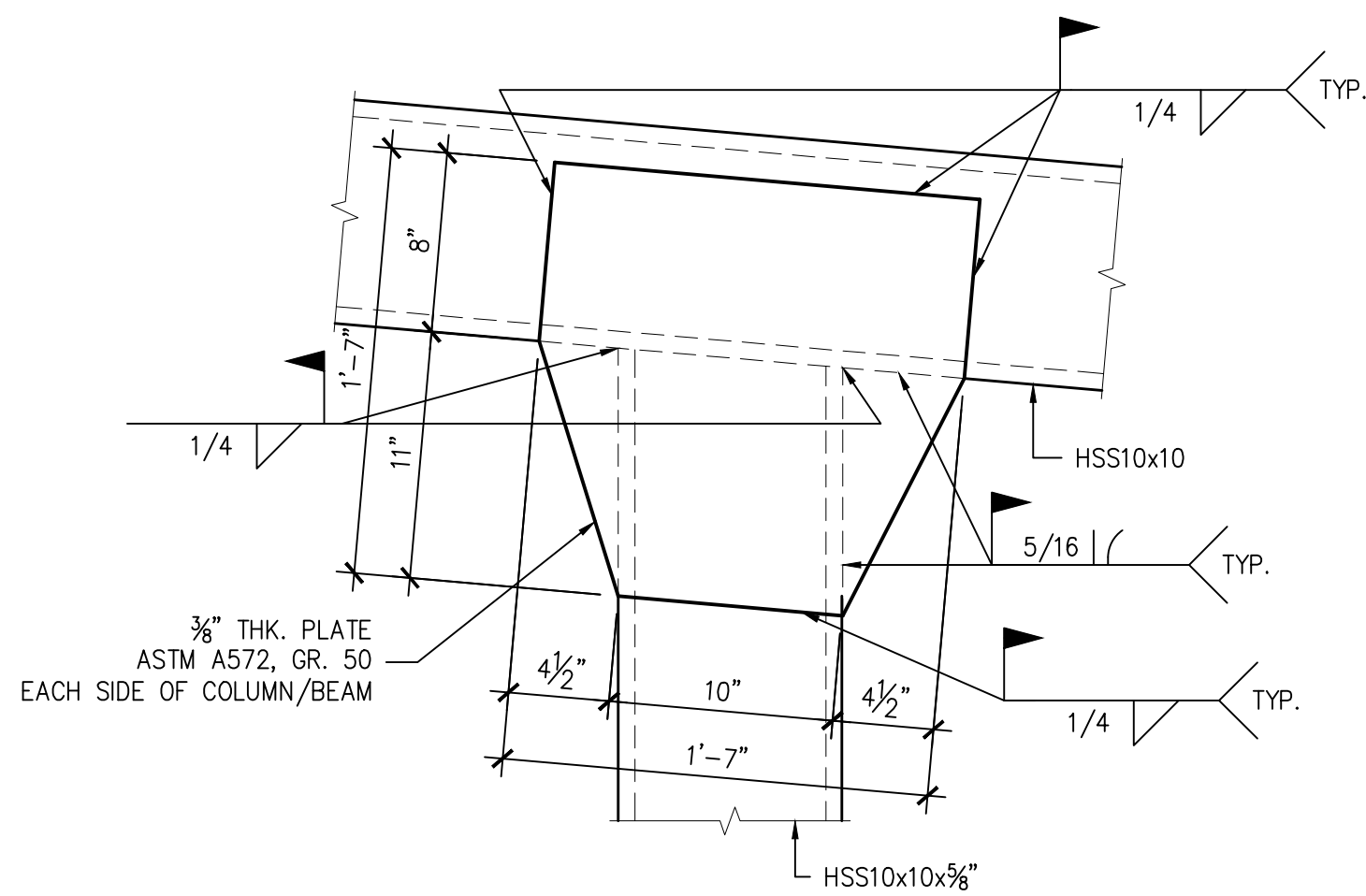
FOUNDATION DETAILS

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: LW       | SCALE: 1"=1'-0" |
| SHEET NUMBER    |                 |

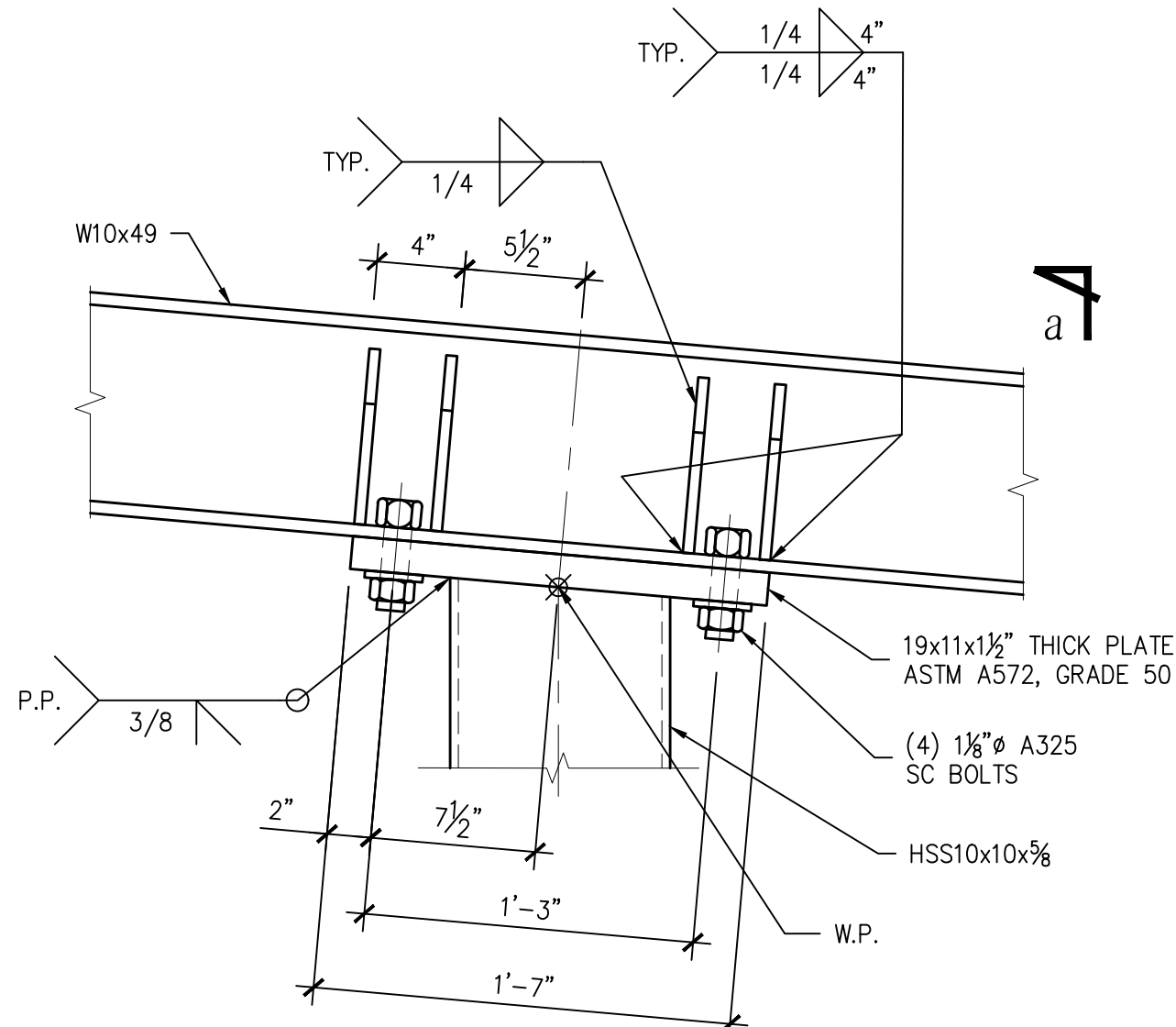
S-2

PRELIMINARY

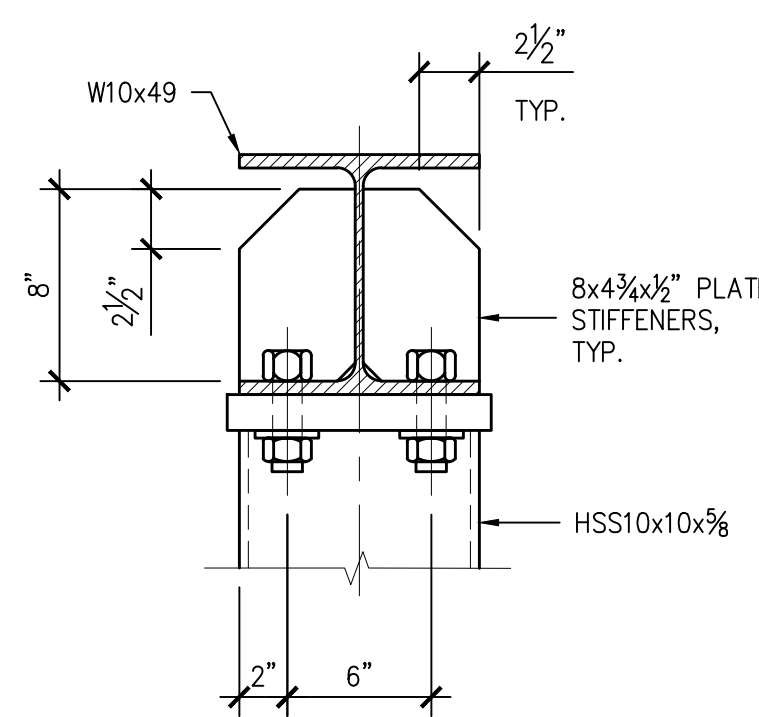




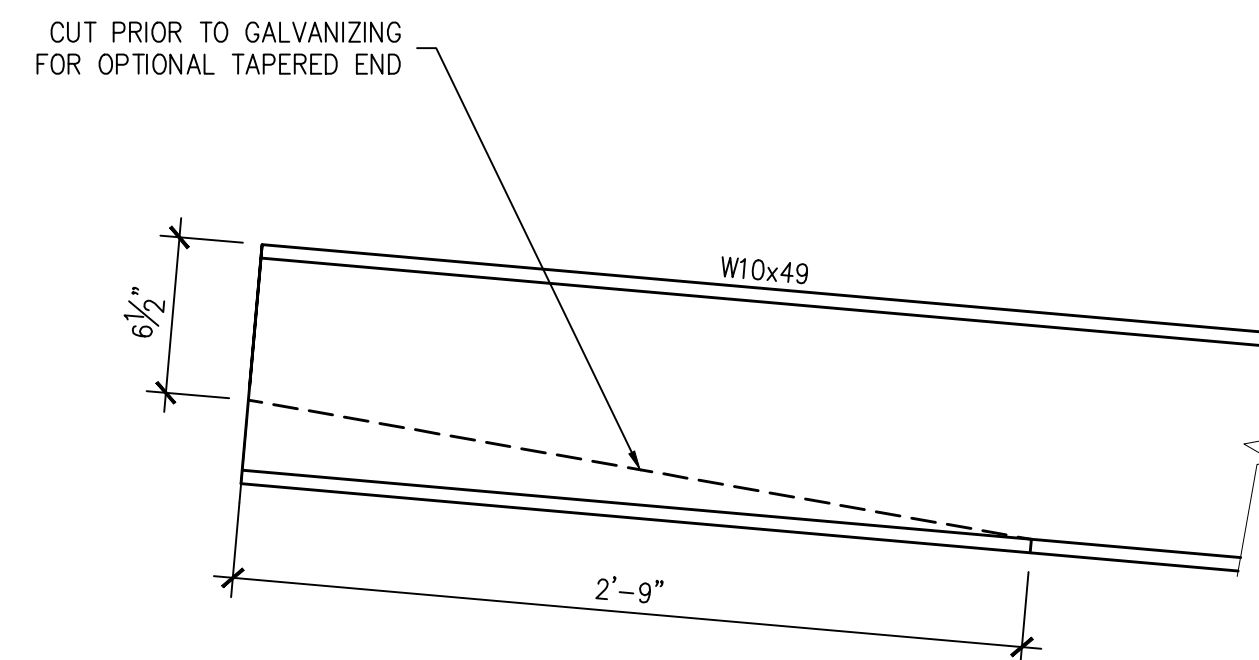
**HSS BEAM WELDED OPTION - TOP CONNECTION DETAIL**  
SCALE: 1 1/2"=1'-0"



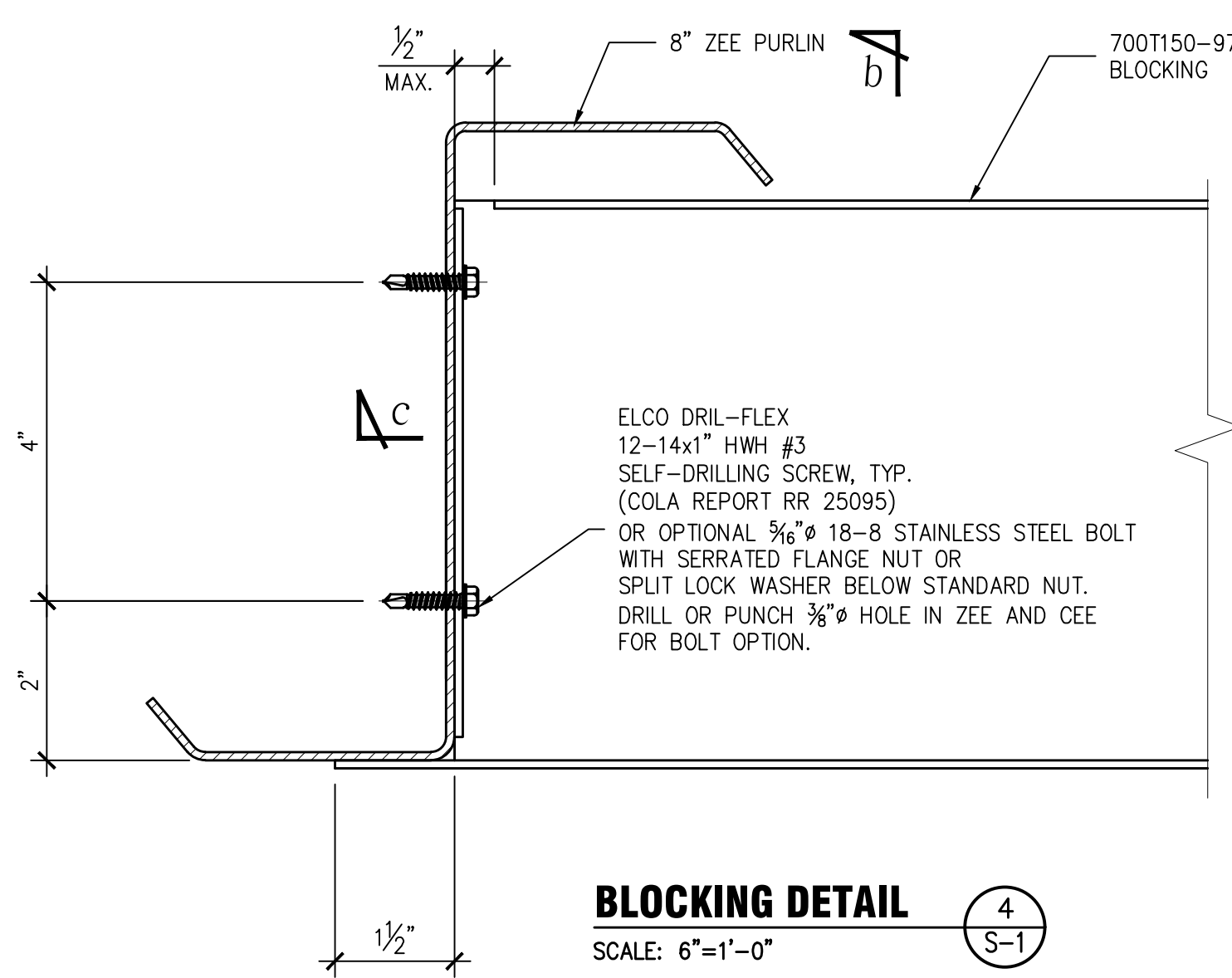
**WF BEAM BOLTED OPTION - TOP CONNECTION DETAIL**  
SCALE: 1 1/2"=1'-0"



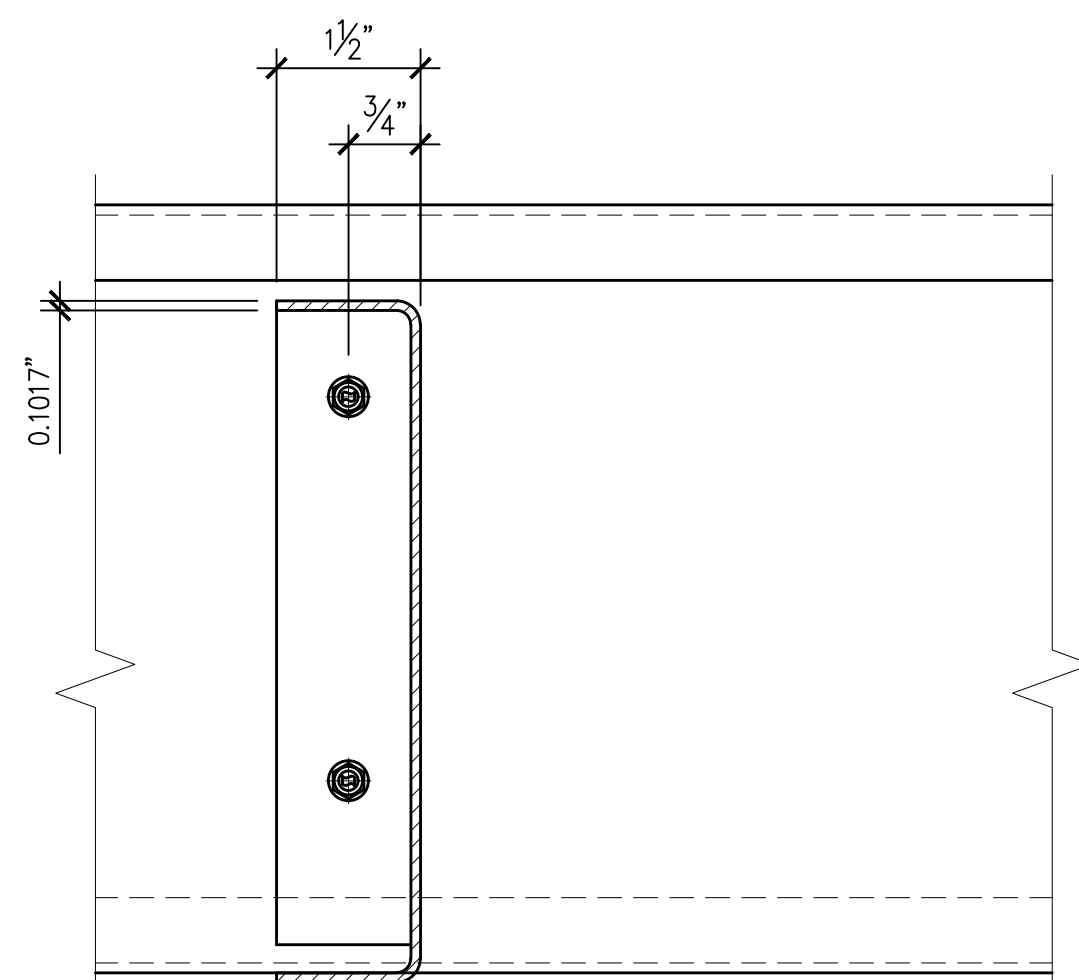
**SECTION a**  
SCALE: 1 1/2" = 1'-0"



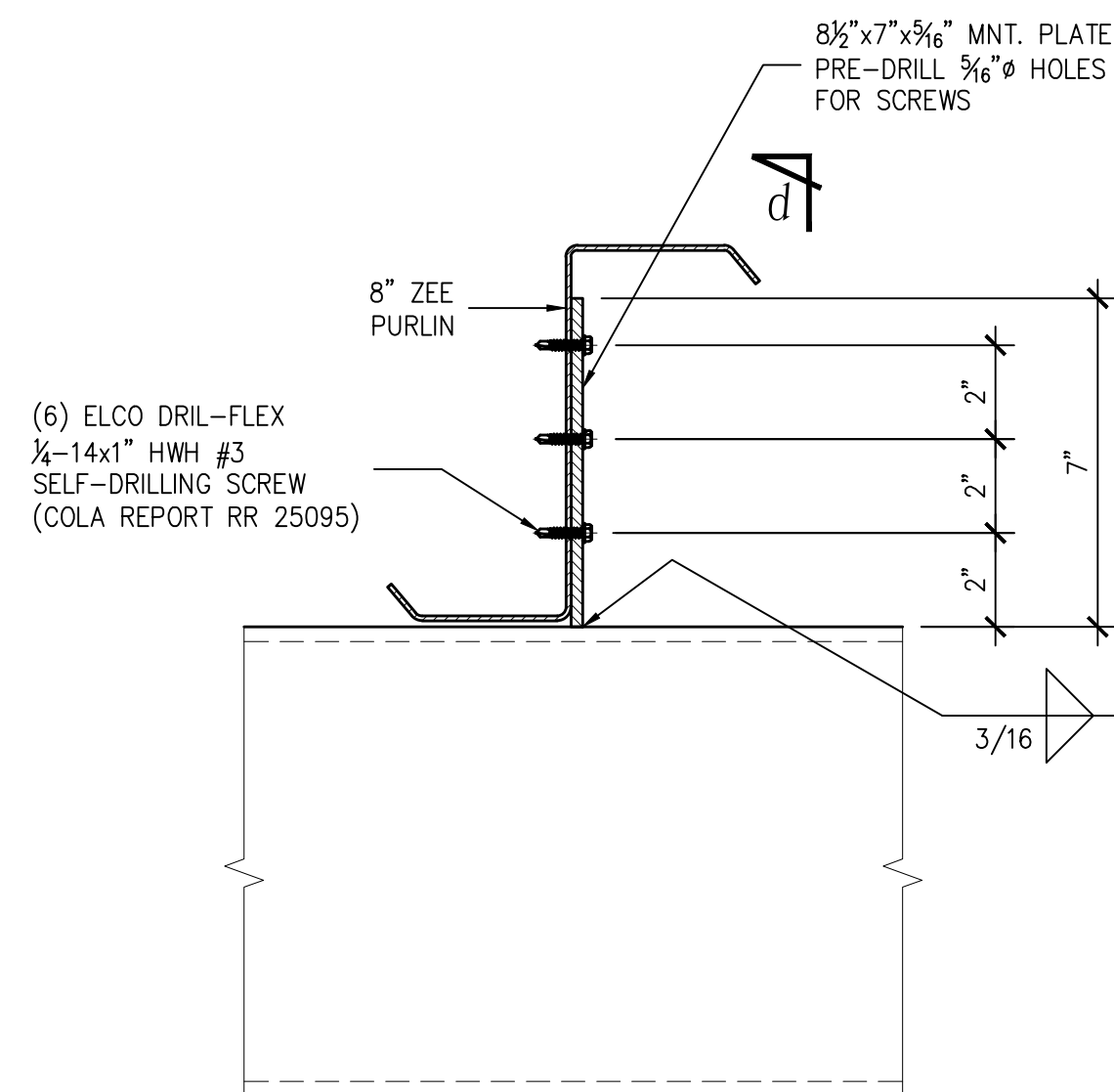
**DETAIL**  
SCALE: 1 1/2"=1'-0"



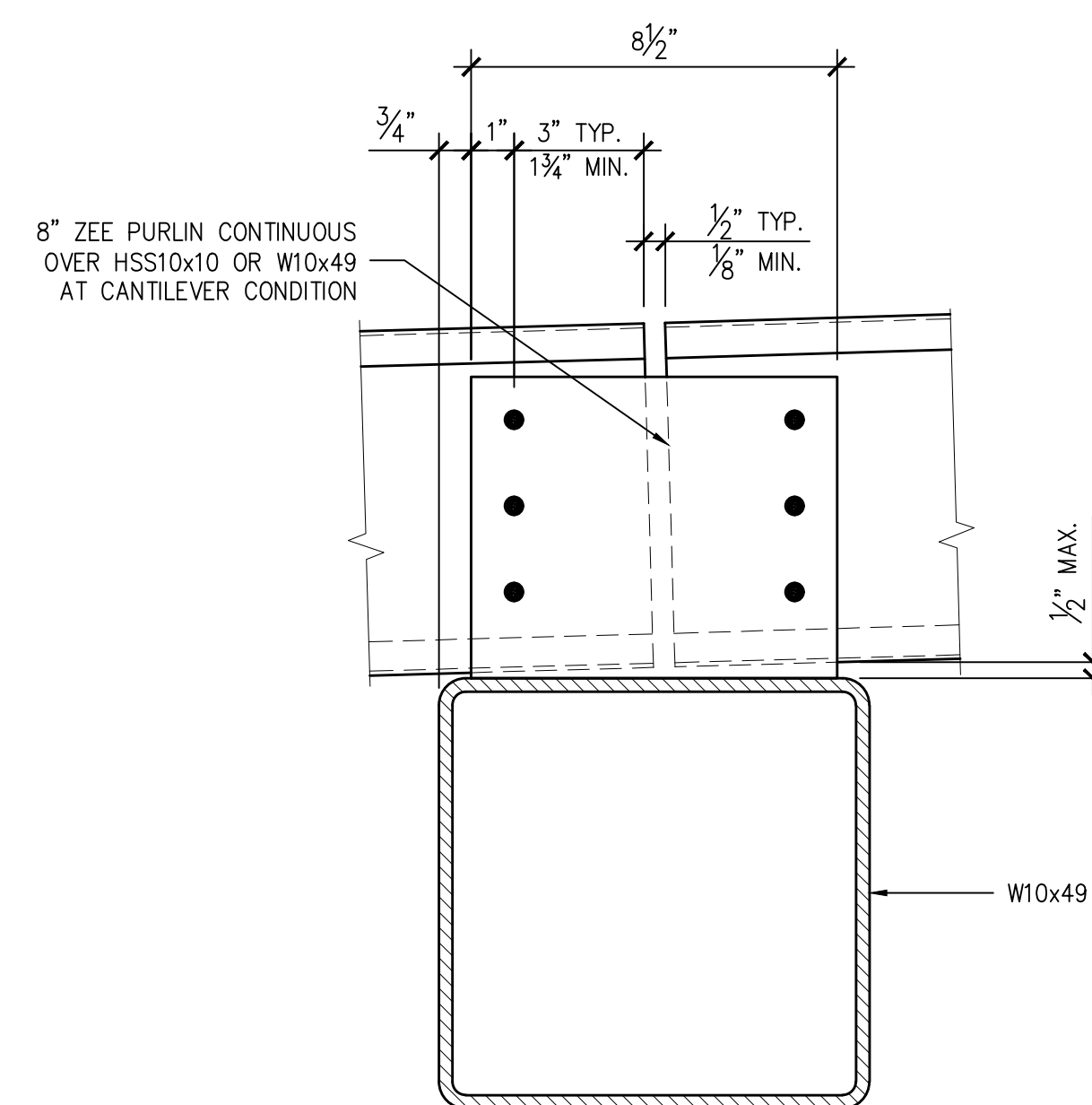
**BLOCKING DETAIL**  
SCALE: 6"=1'-0"  
NOTE: SOLAR MODULES NOT SHOWN FOR CLARITY



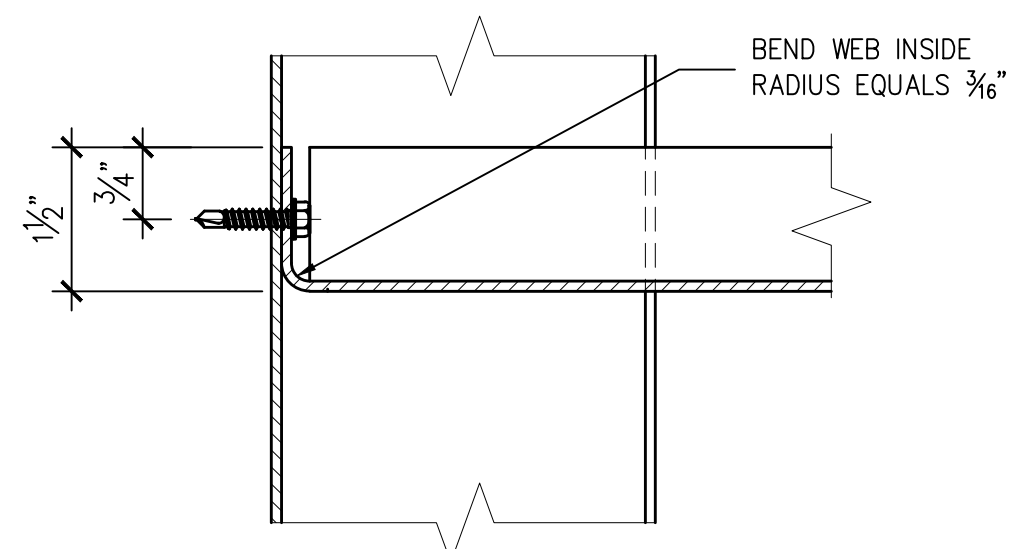
**SECTION b**  
SCALE: 6"=1'-0"



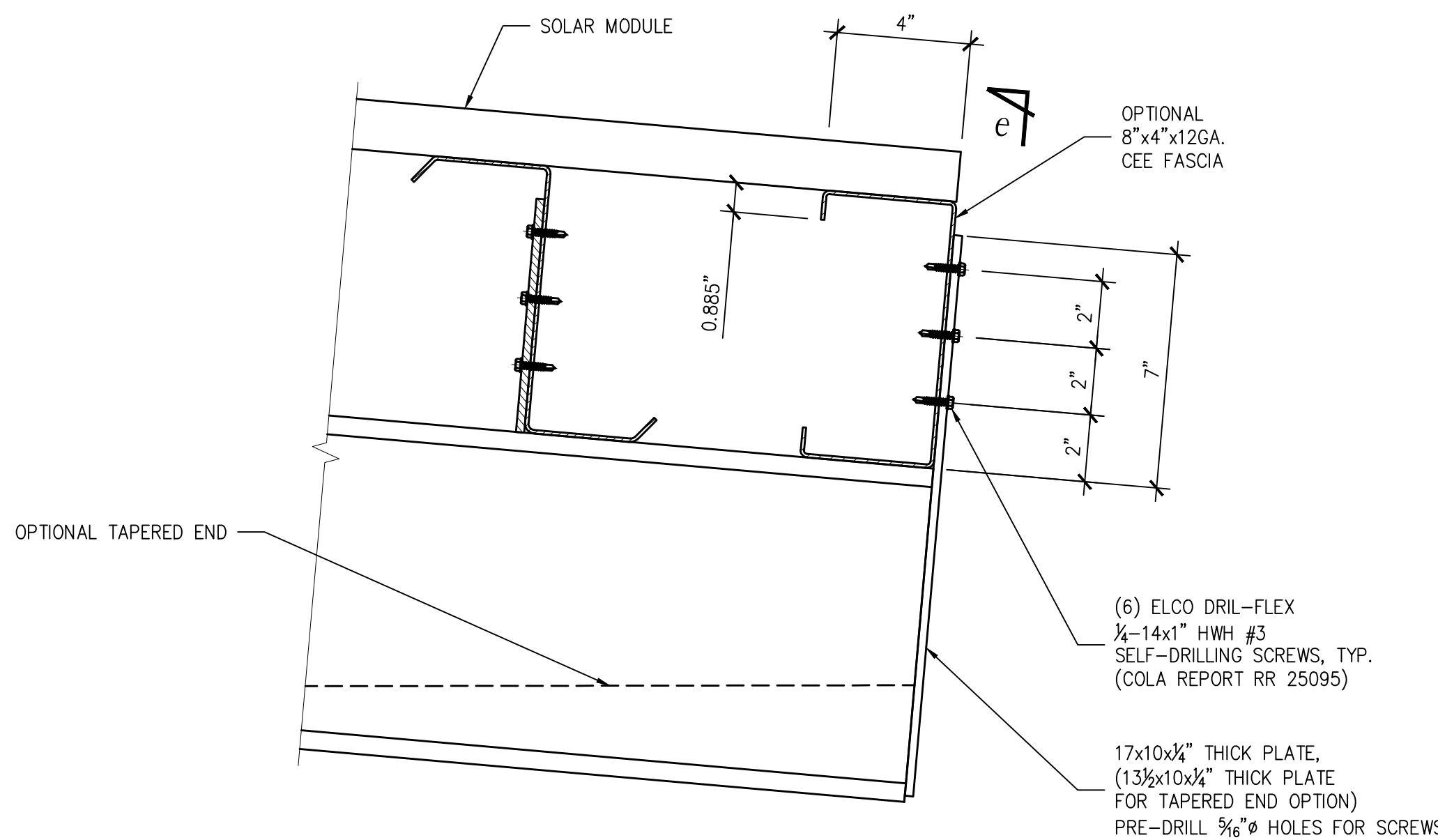
**PURLIN CONNECTION DETAIL**  
SCALE: 3" = 1'-0"  
NOTE: SOLAR MODULES NOT SHOWN FOR CLARITY



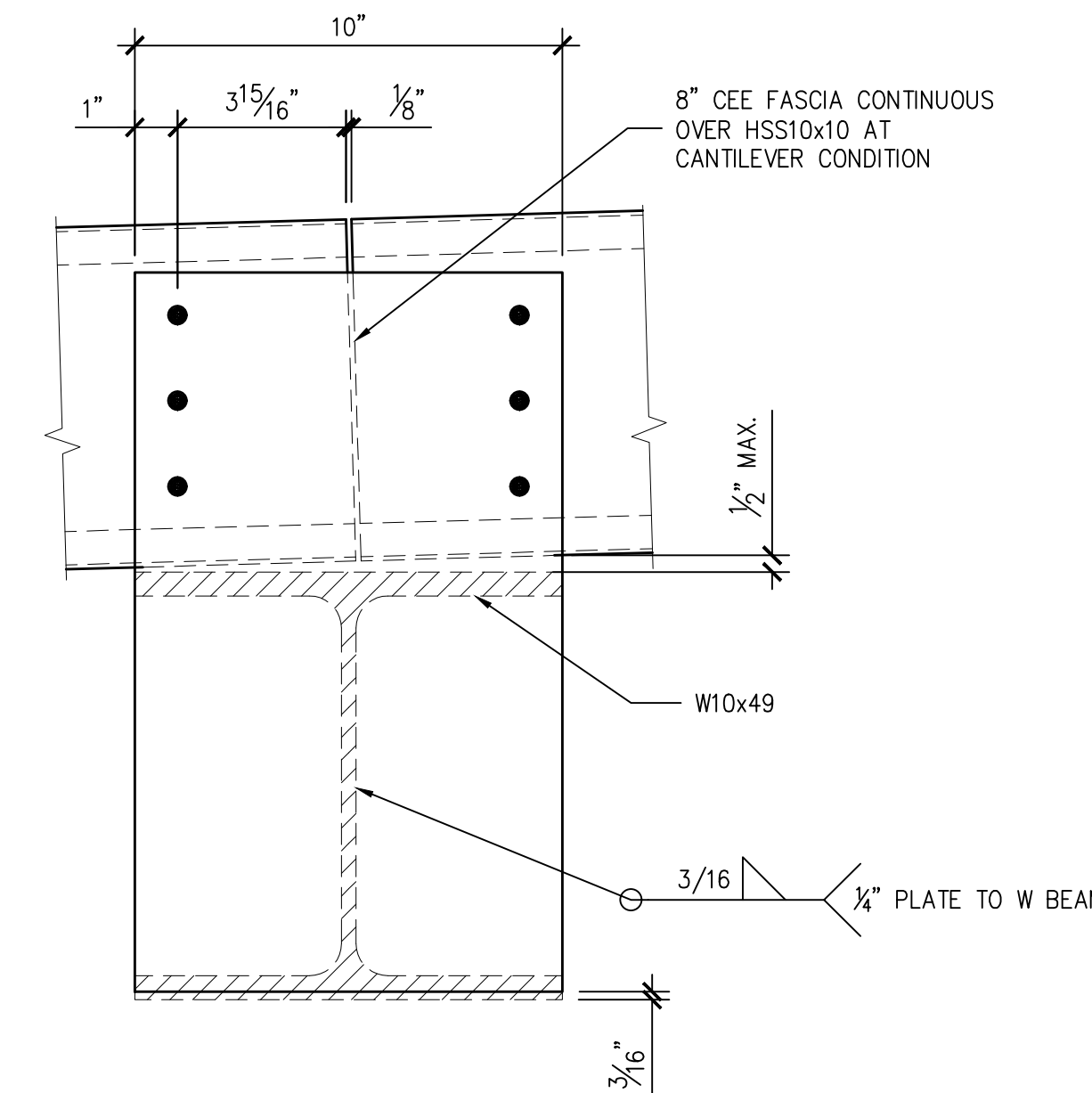
**SECTION d**  
SCALE: 3" = 1'-0"



**BLOCKING CLIP SECTION C**  
SCALE: 6"=1'-0"



**FASCIA OPTION DETAIL FOR W/F**  
SCALE: 3"=1'-0"



**SECTION e**  
SCALE: 3"=1'-0"

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:  
**CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 kWAC  
440 HARCOURT AVE.  
SEASIDE, CA**

SHEET TITLE:

**PURLIN CONNECTION, BLOCKING  
AND TOP CONNECTIONS DETAILS**

|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: LW       | SCALE: AS NOTED |
| SHEET NUMBER    |                 |

**S-3**

**PRELIMINARY**



I:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD Working\218061 S-4.dwg February 15, 2019 -- 3:06PM agp/bjs

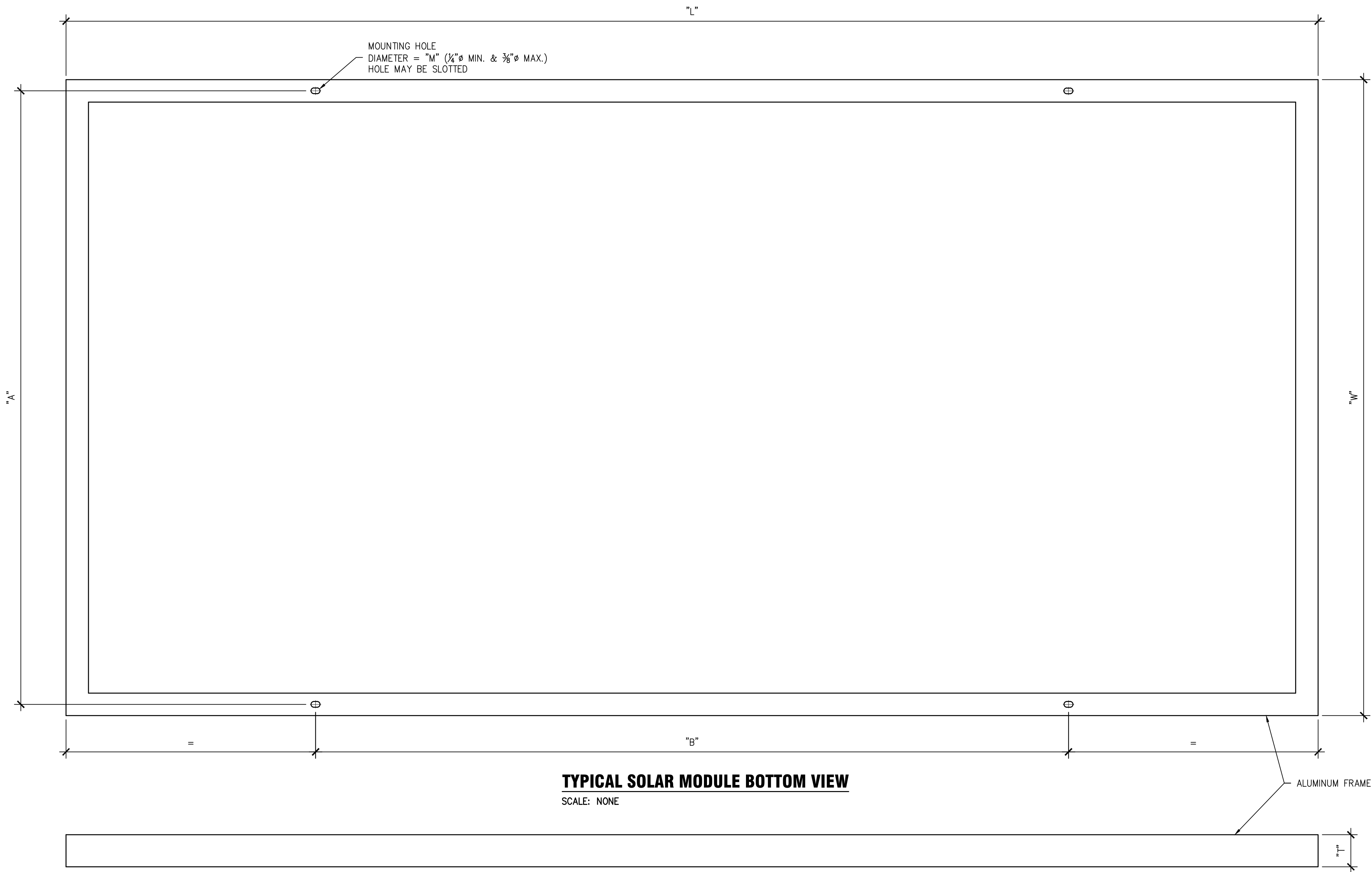
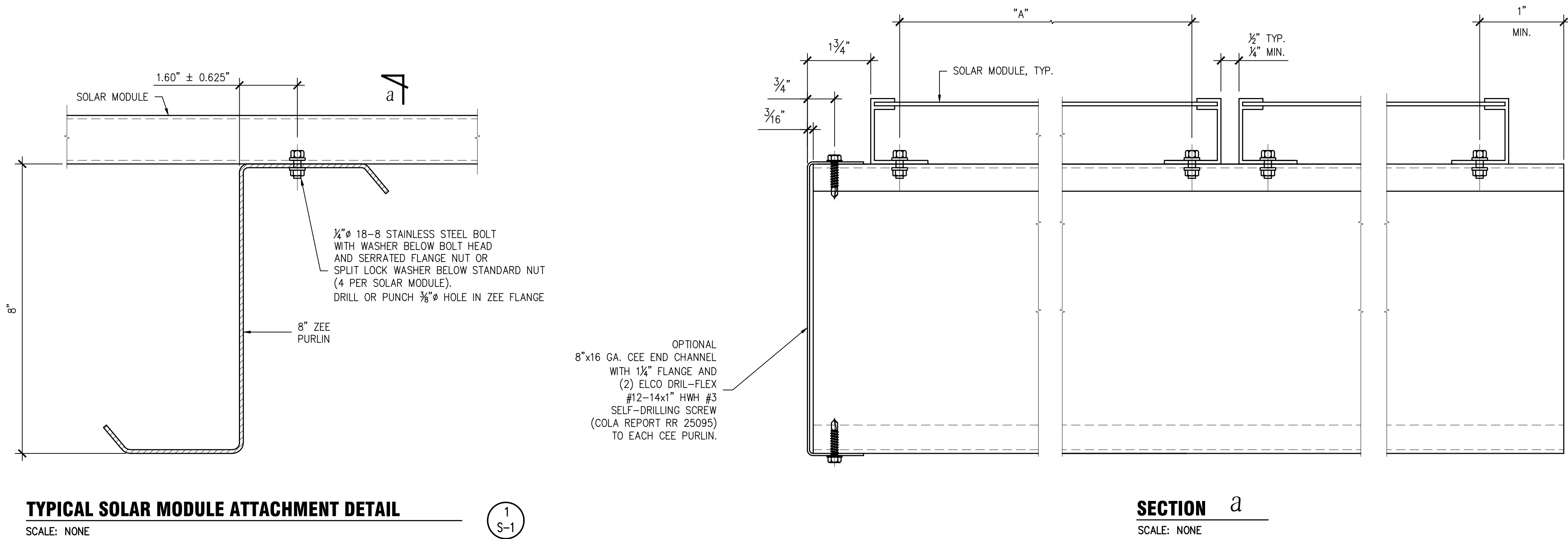
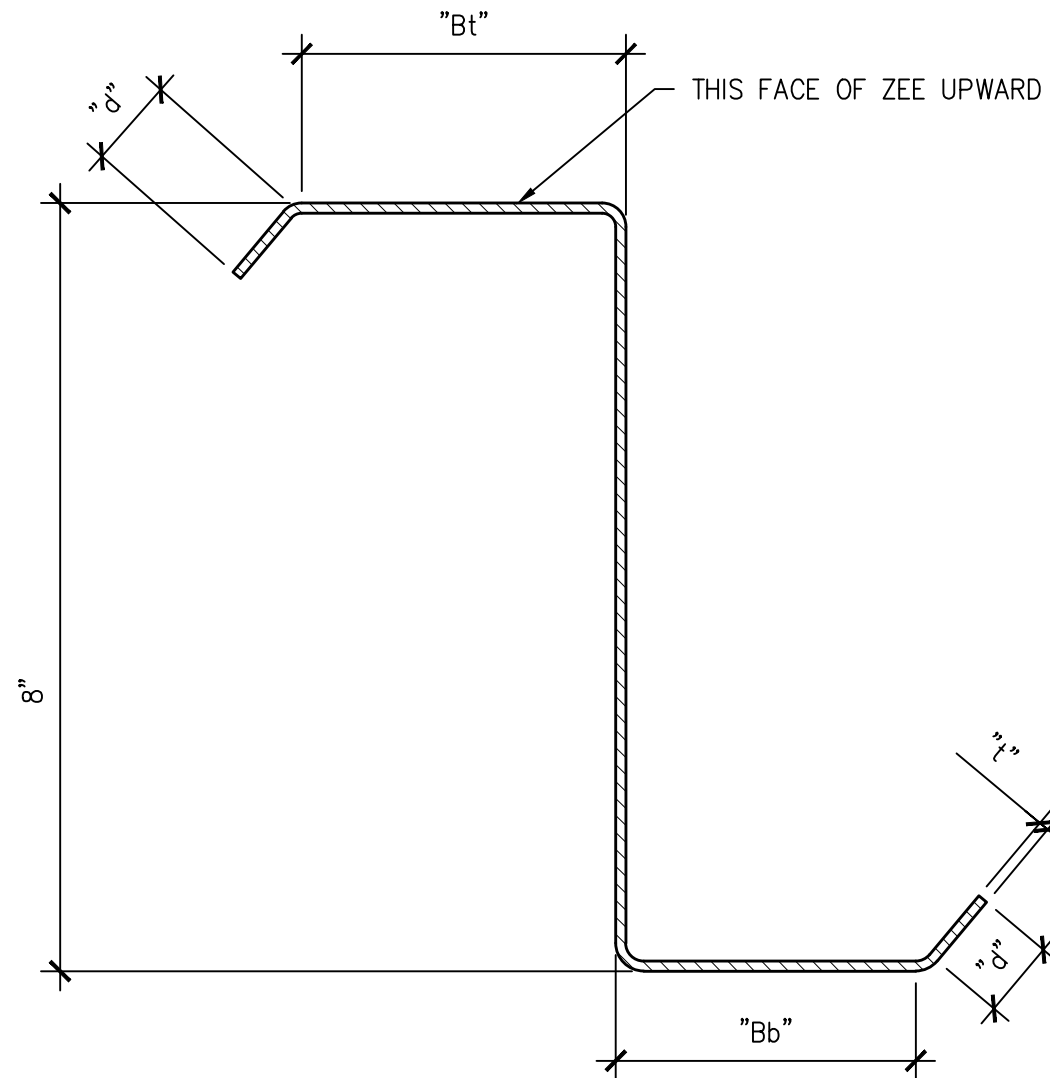


TABLE "S"

| PURLIN TYPE | "Bt"   | "Bb"   | "d"    | "t"    | "C"    | "E"    | "F"   | "N"   | "G"                        | "H"                | "J"                  | "K"                        |
|-------------|--------|--------|--------|--------|--------|--------|-------|-------|----------------------------|--------------------|----------------------|----------------------------|
| 8ZS3.25x105 | 3.375" | 3.125" | 0.990" | 0.105" | 2 3/4" | 2 7/8" | 3.55" | 3.31" | $\frac{"W"- "A"+0.69"}{2}$ | $"G"+\frac{1}{2}"$ | $"M"- \frac{1}{16}"$ | $\frac{"W"- "A"+0.06"}{2}$ |



| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

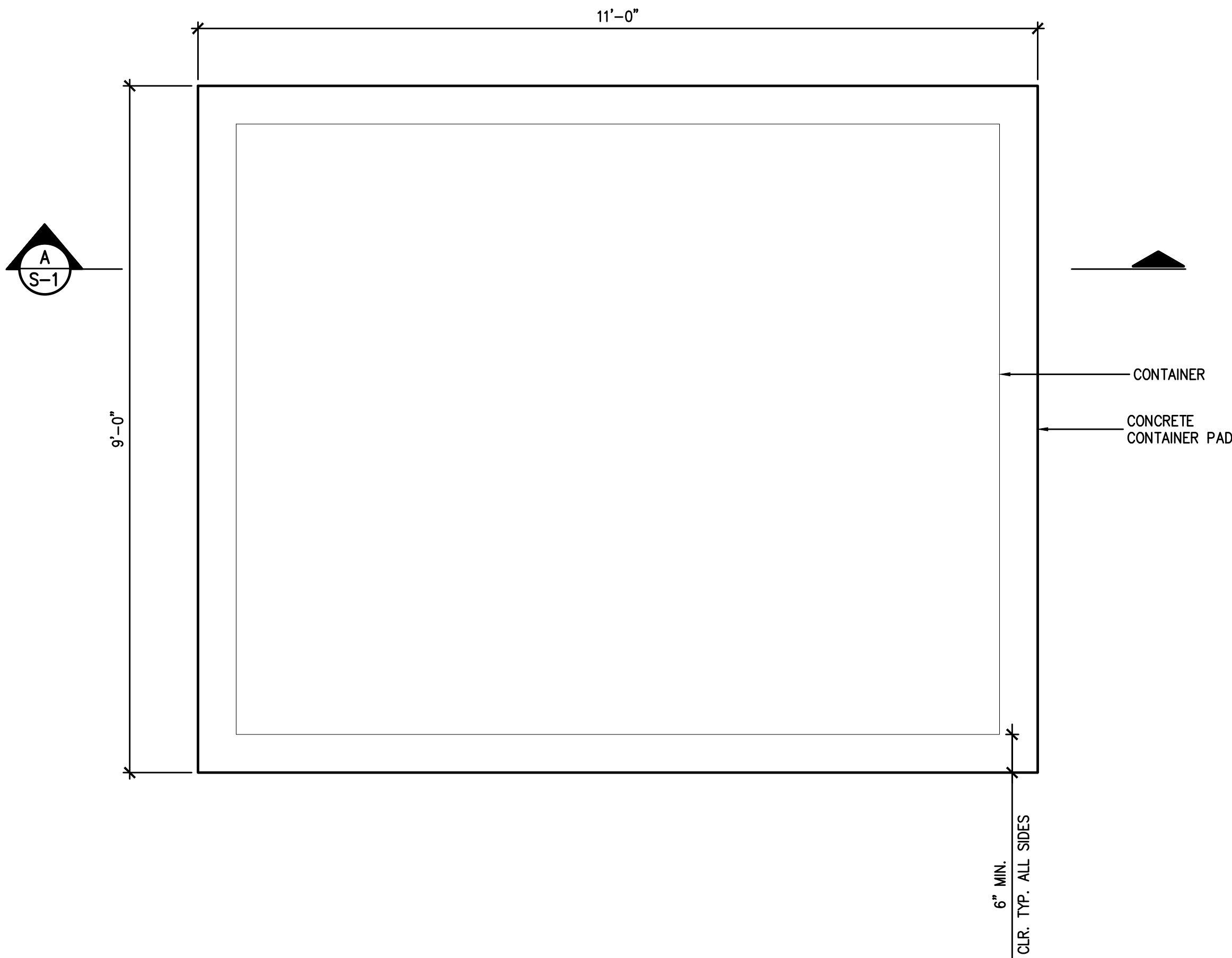
CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

TYPE 2 - TYPICAL SOLAR  
MODULE ATTACHMENT, TYPICAL  
SOLAR MODULE, AND ZEE DETAIL

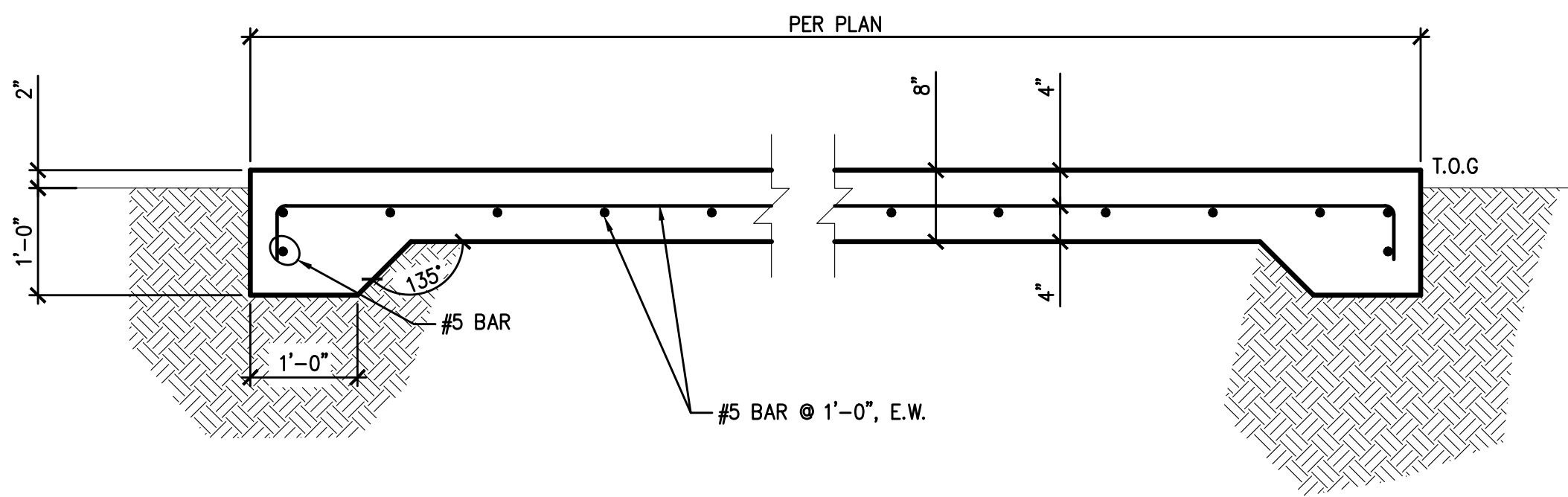
|                 |                 |
|-----------------|-----------------|
| JOB NO.: 218061 | PROJECT MGR: SG |
| DRAWN: LW       | SCALE: AS NOTED |
| SHEET NUMBER    |                 |



I:\Acad\2018dwg\218061 Sage City of Seaside CA\01 CAD\working\218061 S-P.dwg February 15, 2019 - 10:51AM rthabet



1  
E-3  
CONTAINER PAD PLAN  
SCALE: 3/4" = 1'-0"



A  
S-1  
SECTION  
SCALE: 3/4" = 1'-0"

CONCRETE NOTES:

- CONSTRUCTION SHALL CONFORM TO CALIFORNIA 2010 BUILDING CODE AND LOCAL REGULATORY AGENCIES REQUIREMENTS.
- ALL CONCRETE WORK SHALL COMPLY WITH ACI 301 & 318 LATEST EDITION.
- ALL SLAB ON GRADE WORK SHALL BE DONE IN ACCORDANCE WITH ACI 302.1R.
- CONCRETE SHALL BE:
  - 2,500 psi @28 DAY COMPRESSIVE STRENGTH
- MAXIMUM SLUMP 4". WATER TO CEMENT RATIO: FROM .47 TO .53
- AGGREGATE GRADATION AND QUALITY SHALL BE IN ACCORDANCE WITH ACI 302-1R.
- REINFORCEMENT SHALL BE ASTM A615 GR60.
- MINIMUM CONCRETE COVER SHALL BE 3" TO EARTH, 2" TO SKY.
- CONTRACTOR SHALL VERIFY ALL PERTINENT DIMENSIONS PRIOR TO BEGINNING OF CONSTRUCTION.
- CHANGES FROM THE CONTRACT DRAWINGS SHALL BE MADE ONLY WITH THE APPROVAL OF THE ENGINEER.



CONSULTANT



STAMP/SEAL

| REV # | DESCRIPTION           | DATE       |
|-------|-----------------------|------------|
| A     | FOR CLIENT REVIEW     | 12/10/2018 |
| B     | 90% FOR CLIENT REVIEW | 01/15/2019 |
| C     | 90% FOR CLIENT REVIEW | 02/15/2019 |

PROJECT TITLE:

CITY OF SEASIDE CITY HALL  
PHOTOVOLTAIC ARRAYS  
72 KWAC  
440 HARCOURT AVE.  
SEASIDE, CA

SHEET TITLE:

CONTAINER PAD

|                 |                    |
|-----------------|--------------------|
| JOB NO.: 218061 | PROJECT MGR: SG    |
| DRAWN: LW       | SCALE: 1" = 40'-0" |
| SHEET NUMBER    |                    |

S-P

PRELIMINARY



## **RESOLUTION NO.**

### **A RESOLUTION OF THE CITY OF SEASIDE CITY COUNCIL**

**APPROVING DESIGN OF A PHOTOVOLTAIC PARKING CANOPY SOLAR ENERGY PROJECT, APPROPRIATING TWO HUNDRED FORTY SIX THOUSAND DOLLARS (\$246,000) FROM CAPITAL RESERVE FUND AND APPROVE FISCAL YEAR 2018/2019 BUDGET AMENDMENT IN THE AMOUNT OF SEVEN HUNDRED TWENTY THREE THOUSAND DOLLARS (\$723,000) FOR CONSTRUCTION OF THE PROJECT.**

**WHEREAS**, solar energy is an environmentally sustainable, renewable resource capable of providing an alternative source of power for City Hall; and

**WHEREAS**, a solar energy project will reduce the City's electricity costs; and

**WHEREAS**, on April 19, 2018, the City retained Sage Renewables to perform feasibility study and design of a photovoltaic solar energy project; and

**WHEREAS**, on July 5, 2018, Council received a feasibility study that outlined the benefits of various options for a photovoltaic solar project; and

**WHEREAS**, after careful consideration, City Council directed staff to proceed with design of a photovoltaic solar project sized to supply 60% of City Hall electricity energy consumption; and

**WHEREAS**, on February 15, 2019 Sage Renewables submitted design for a photovoltaic parking canopy project (Project); and

**WHEREAS**, on March 6, 2019, the Board of Architectural Review approved construction drawings for the Project; and

**WHEREAS**, design and construction costs for the Project are estimated to be \$638,000; and

**WHEREAS**, a project of this complexity should include a contingency budget of approximately 20% of the construction costs or equivalent to \$100,000 for a total project budget of \$738,000; and

**WHEREAS**, the estimated budget for fiscal year 2018/2019 to complete design and construct the Project is \$723,000; and

**WHEREAS**, the City has approximately \$477,000 available of lease/purchase financing through PNC Bank; and

**WHEREAS**, the remaining project balance of \$246,000 is available from the Capital Reserve Fund.

**NOW, THEREFORE BE IT RESOLVED**, that the City of Seaside City Council approve the design of the parking canopy photovoltaic energy project, appropriate \$246,000 from the Capital Reserve Fund, and directs the finance department amend the fiscal year 2018/2019 budget in the amount \$723,000 for construction.

**PASSED AND ADOPTED** at a regular meeting of the City of Seaside City Council duly held on the 21st day of March, 2019 by the following vote:

AYES: COUNCIL MEMBERS:  
NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:  
ABSTAIN: COUNCIL MEMBERS:

---

Ian Oglesby, Mayor

ATTEST:

---

Lesley Milton-Rerig, City Clerk