



AGENDA

SAN RAFAEL CITY COUNCIL – TUESDAY, JANUARY 18, 2022

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2022-01-18>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

ID: 899-2635-9885#

One Tap Mobile: US: +16699009128,,89926359885#

CORONAVIRUS (COVID-19) ADVISORY NOTICE

In response to Assembly Bill 361, the City of San Rafael is offering teleconference without complying with the procedural requirements of Government Code section 54953(b)(3). This meeting will be held virtually using Zoom and is being streamed to YouTube at www.youtube.com/cityofsanrafael.

How to participate in the meeting:

- Submit public comment in writing before 4:00 p.m. the day of the meeting to city.clerk@cityofsanrafael.org.
- Join the Zoom webinar and use the 'raise hand' feature to provide verbal public comment.
- Dial-in to Zoom's telephone number using the meeting ID and provide verbal public comment.

Any member of the public who needs accommodations should contact the City Clerk (email city.clerk@cityofsanrafael.org or phone at 415-485-3066) who will use their best efforts to provide reasonable accommodations to provide as much accessibility as possible while also maintaining public safety in accordance with the City procedure for resolving reasonable accommodation requests.

OPEN SESSION

1. None.

CLOSED SESSION

2. Closed Session: - None.

OPEN TIME FOR PUBLIC EXPRESSION

The public is welcome to address the City Council at this time on matters not on the agenda that are within its jurisdiction. Please be advised that pursuant to Government Code Section 54954.2, the City Council is not permitted to discuss or take action on any matter not on the agenda unless it determines that an emergency exists, or that there is a need to take immediate action which arose following posting of the agenda. Comments may be no longer than two minutes and should be respectful to the community.

CITY MANAGER'S REPORT:

3. City Manager's Report:

COUNCILMEMBER REPORTS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

4. Councilmember Reports:

CONSENT CALENDAR:

The opportunity for public comment on consent calendar items will occur prior to the City Council's vote on the Consent Calendar. The City Council may approve the entire consent calendar with one action. In the alternative, items on the Consent Calendar may be removed by any City Council or staff member, for separate discussion and vote.

5. Consent Calendar Items:

a. **Approval of Minutes**

Approve Minutes of City Council / Successor Agency Regular Meeting of Monday, December 20, 2022 (CC)

Recommended Action - Approve minutes as submitted

b. **Use of Teleconferencing for Public Meetings During State of Emergency**

Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for Continued Use of Teleconferencing to Hold Public Meetings of the San Rafael City Council and City Boards and Commissions During the Continuing State of Emergency Relating to the COVID-19 Pandemic (CA)

Recommended Action - Adopt Resolution

c. **Vacancies on San Rafael Boards and Commissions**

Announcement of Vacancies on the Cannabis Industry Tax Oversight Committee and the Fire Commission (CC)

Recommended Action - Receive and file

d. **Pickleweed Advisory Committee Appointment**

Approve Appointment of Miguel Hau-Gutierrez to the Pickleweed Advisory Committee as a Youth Member to the End of December 2024 (CC)

Recommended Action - Approve appointment

e. **Residential Building Resale (RBR) Report**

Resolution Adopting an Extension of Temporary Measures for Administering the Residential Building Record Program ("RBR Program") Set Forth in San Rafael Municipal Code Title 12 (Building Regulations), Chapter 12.36 (Report of Residential Building Record) During the High Demand Real Estate Market and COVID-19 Pandemic (CD)

Recommended Action - Adopt Resolution

f. **City Quarterly Investment Report**

Acceptance of City of San Rafael Quarterly Investment Report for the Quarter Ending December 31, 2021 (Fin)

Recommended Action - Accept report

g. **Fire Mid-Management Personnel Changes**

Resolution Approving the Reclassification of One Fire Department Battalion Chief Position to a Deputy Fire Chief and Add a Deputy Director of Emergency Management Position (HR)

Recommended Action - Adopt Resolution

- h. **Revised Salary and Benefit Plan for Temporary Employees**
Resolution Rescinding Resolution 14268 and Adopting a Revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and Salary Schedule (HR)
Recommended Action – Adopt Resolution
- i. **California State Preschool Program Continued Funding Application**
Resolution Authorizing the Senior Recreation Supervisor-Child Care to Submit an Application to the California Department of Education for a Grant to Provide Child Care and Development Services for Fiscal Year 2022-2023, and if Granted, to Sign all Necessary Grant Documents (LR)
Recommended Action – Adopt Resolution
- j. **Albert Park Fencing and Netting**
Albert Park Fencing and Netting Project, City Project No. 11372 Bid Rejection (PW)
Recommended Action – Reject bid and direct staff to develop design alternatives
- k. **Caltrans Local Procedures**
Resolution Adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual Entitled “Consultant Selection”, as well as All Future Updates, as the Process by which the City Procures Architectural and Engineering Consultant Services Related to Federal and State Funded Transportation Projects (PW)
Recommended Action – Adopt Resolution

PUBLIC HEARING AT 7:30 PM:

6. Public Hearing:

- a. **2021-2022 City Council Redistricting Process**
Second Public Hearing on Existing Council District Lines and Possible Changes (CA)
Recommended Action – Accept report

OTHER AGENDA ITEMS:

7. Other Agenda Items:

- a. **San Quentin Pump Station**
Informational Report regarding the San Quentin Pump Station Reconstruction Project and Funding (PW)
Recommended Action – Accept report

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar:

- a. **Recognized Obligation Payment Schedule (ROPS) for Fiscal Year 2022-23**
Acceptance of ROPS Report and Authorization to Submit to the Marin County Successor Agency Oversight Board and the State Department of Finance (Fin)
Recommended Action – Accept report
- b. **Successor Agency Quarterly Investment Report**
Acceptance of Successor Agency Quarterly Investment Report for the Quarter Ending December 31, 2021 (Fin)
Recommended Action – Accept report

ADJOURNMENT:

Any records relating to an agenda item, received by a majority or more of the Council less than 72 hours before the meeting, shall be available for inspection online. Sign Language interpreters may be requested by calling (415) 485-3066 (voice), emailing Lindsay.lara@cityofsanrafael.org or using the California Telecommunications Relay Service by dialing "711", at least 72 hours in advance of the meeting. Copies of documents are available in accessible formats upon request.



MINUTES

SAN RAFAEL CITY COUNCIL – MONDAY, DECEMBER 20, 2021

REGULAR MEETING AT 7:00 P.M.

Watch on Webinar: <https://tinyurl.com/cc-2021-12-20>

Watch on YouTube: www.youtube.com/cityofsanrafael

Listen by phone: (669) 900-9128

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Present: Mayor Kate
Vice Mayor Bushey
Councilmember Kertz

Absent: Councilmember Hill
Councilmember Llorens Gulati

Also Present: City Manager Jim Schutz
City Attorney Robert Epstein
City Clerk Lindsay Lara

OPEN SESSION

1. None.

CLOSED SESSION

2. Closed Session: - None.

Mayor Kate called the meeting to order at 7:01 p.m. and invited City Clerk Lindsay Lara to call the roll. All members of the City Council were present, except for Councilmembers Hill and Llorens Gulati.

Mayor Kate provided opening remarks, which included an announcement of tonight's last legislative meeting for the Council in 2021; gratitude for the resilience of the community throughout the year, to those who continue to follow COVID safe protocols, to the Board and Commission volunteers, to City Staff, and to residents; and a land acknowledgment.

City Clerk Lindsay Lara informed the community that the meeting would be recorded and streamed live to YouTube and through Zoom and members of the public would provide public comment either on the telephone or through Zoom. She explained the process for community participation on the telephone or through Zoom.

OPEN TIME FOR PUBLIC EXPRESSION

- Amy Likover addressed the Council expressing gratitude to City for making C and D Streets two-way and spoke about a recent city ride-along tour with a new City staff member.
- Eva Chrysanthe addressed the Council regarding the recent death of a woman at the Service Support Area.
- Kristen Vandivier, Meditation Without Borders, addressed the Council regarding meditation classes and other services at the Service Support Area.
- Name withheld addressed the Council regarding services at the Service Support Area.

CITY MANAGER'S REPORT:

3. City Manager's Report:

City Manager Jim Schutz announced:

- His gratitude to the City Council, all City staff and the entire extended community for everything that was done to make San Rafael a better place in 2021
- City Administrative Offices will be closed the last week of December. Fire, paramedic and police services will be staffed 24-7. Public Works and Sanitation District crews will be staffed and monitoring emergency maintenance requests, as well.
- Tuesday, January 18th will be the first City Council meeting of 2022, as the January 3rd meeting is cancelled
- Update on in-person meetings
- Planning Commission vacancy
- Bicycle & Pedestrian Advisory Committee youth member vacancy
- Nominations are due for the Citizen of the Year Award

Mayor Kate invited public comment.

Speakers: Grace Geraghty, Eva Chrysanthe

Jim Schutz, City Manager provided comments.

COUNCILMEMBER REPORTS:

(including AB 1234 Reports on Meetings and Conferences Attended at City Expense)

4. Councilmember Reports:

- Councilmember Bushey reported on MCCMC Water Committee, San Rafael Sanitation Board and Central Marin Sanitation Agency meetings, as well as, the Lighted Boat Parade.
- Councilmember Kertz reported on the Lighted Boat Parade, as well as, Marin Wildfire Prevention Authority (MWPA) and Age-Friendly San Rafael meetings.
- Mayor Kate reported on the Lighted Boat Parade, a Transportation Authority of Marin meeting, a Community Circle and the Boards & Commissions Volunteer Appreciation Party.

Mayor Kate invited public comment; however, there was none.

CONSENT CALENDAR:

Mayor Kate invited public comment; however, there was none.

Councilmember Bushey moved and Councilmember Kertz seconded to approve the Consent Calendar.

5. Consent Calendar Items:

- a. **Approval of Minutes**
Approve Minutes of City Council / Successor Agency Special and Regular Meetings of Monday, November 15, 2021 and Regular Meeting of Monday, December 6, 2021 (CC)
Approved minutes as submitted
- b. **Use of Teleconferencing for Public Meetings During State of Emergency**
Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for Continued Use of Teleconferencing to Hold Public Meetings of the San Rafael City Council and City Boards and Commissions During the Continuing State of Emergency Relating to the COVID-19 Pandemic (CA)
Resolution 15012 - Resolution Pursuant to Assembly Bill 361 Making Findings and Confirming the Need for Continued Use of Teleconferencing to Hold Public Meetings of the San Rafael City Council and City Boards and Commissions During the Continuing State of Emergency Relating to the COVID-19 Pandemic
- c. **Vacancies on San Rafael Boards and Commissions**
Announcement of Vacancies on the Planning Commission and the Bicycle and Pedestrian Advisory Committee (Youth Member) (CC)
Received and filed
- d. **Cannabis Industry Tax Oversight Committee Appointment**
Approve Appointment of Charles Friede to the Cannabis Industry Tax Oversight Committee to the End of February 2024 Due to the Resignation of Drew Bulfer (CC)
Approved appointment
- e. **Revised City Manager Employment Agreement**
Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz (CM)
Resolution 15013 - Resolution Approving and Authorizing the Mayor to Execute a Revised Employment Agreement Between the City and City Manager James M. Schutz
- f. **Annual Measure E TUT Oversight Committee Report**
Measure E Transactions and Use Tax Oversight Committee Report for Fiscal Year 2020-2021 (Fin)
Accepted report
- g. **Library Parcel Tax Annual Report**
Special Library Parcel Tax Oversight Committee's Annual Measure D Report (L/R)
Accepted report
- h. **Fire Station 54 & 55 – Materials Testing and Special Inspection, and Geotechnical Testing and Inspection Services**

Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BSK Associates for Materials Testing and Special Inspection Services and Geotechnical Testing and Inspection Related to Phase 2 Essential Facilities Projects - Fire Station 54 and 55 In the Amount of \$145,744 (PW)

Resolution 15014 - Resolution Authorizing the City Manager to Execute a Professional Services Agreement with BSK Associates for Materials Testing and Special Inspection Services and Geotechnical Testing and Inspection Related to Phase 2 Essential Facilities Projects - Fire Station 54 and 55 In the Amount of \$145,744

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

OTHER AGENDA ITEMS

6. Other Agenda Items:

a. [Homelessness Update](#)

Informational Report on Status of Homelessness in San Rafael (CM)

David Spiller, Police Chief and Marc Sabin, Homeless Program Manager presented the Staff Report.

Councilmembers provided comments.

Staff responded to questions from Councilmembers.

Ken Shapiro, County of Marin and Gary Naja-Riese, County of Marin provided comments.

Mayor Kate invited public comment.

Speakers: Jason Sarris, Damian Edwards, Downtown Streets Team, Kristen Vandivier, Meditation Without Borders, Nick Morris, The Street Chaplaincy, Karen Strolia, Downtown Streets Team, Eva Chrysanthe, Name Withheld

Ken Shapiro, County of Marin provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to accept the report.

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

Accepted Report

b. [Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits Pursuant to Senate Bill 9 \(SB 9\)](#)

Resolution Directing Staff to Prepare an Interim Guidance Document Establishing Standards and Review Procedures for Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits to Implement SB 9 - The California Home Act; And Directing the Preparation of an SB 9 Implementing Ordinance (CD)

Alicia Giudice, Community Development Director introduced Jeff Ballantine, Senior Planner who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: John Reynolds, David Smith, Responsible Growth Marin, Shirley Fischer

Staff responded to public comment.

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution.

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

Resolution 15015 - Resolution Directing Staff to Prepare an Interim Guidance Document Establishing Standards and Review Procedures for Ministerial Review of Two-Unit Residential Developments and Urban Lot Splits to Implement SB 9 - The California Home Act; And Directing the Preparation of an SB 9 Implementing Ordinance

- c. [Emergency Vehicle Preemption of Traffic Signals – Public Safety Initiative](#)
Resolution Approving and Authorizing the City Manager to Execute a Master Sale of Goods and Services Agreement with Global Traffic Technologies to Provide Preemption Services for Police and Fire Vehicles at Signalized Intersections (PW)

Bill Guerin, Public Works Director introduced Rafat Raie, Deputy Public Works Director who presented the Staff Report.

Staff responded to questions from Councilmembers.

Mayor Kate invited public comment.

Speakers: Lori Shifrin, Grace Geraghty, Eva Chrysanthe

Councilmember Kertz moved and Councilmember Bushey seconded to adopt the resolution.

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

Resolution 15016 - Resolution Approving and Authorizing the City Manager to Execute a Master Sale of Goods and Services Agreement with Global Traffic Technologies to Provide Preemption Services for Police and Fire Vehicles at Signalized Intersections

- d. [2022 Vice-Mayor](#)
Select Vice-Mayor for the City of San Rafael 2022 (CC)

Mayor Kate introduced this item.

Mayor Kate invited public comment; however, there was none.

Councilmembers provided comments.

Councilmember Bushey moved and Councilmember Kertz seconded to nominate Rachel Kertz to be the Vice-Mayor for 2022.

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

Selected Rachel Kertz as Vice-Mayor for 2022

e. [City Council Appointments to Committees](#)
Approve City Council Appointments to Committees 2022 (CC)

Mayor Kate introduced this item.

Mayor Kate invited public comment; however, there was none.

Councilmember Bushey moved and Councilmember Kertz seconded to adopt the City Council appointments to committees as presented.

AYES: Councilmembers: Bushey, Kertz & Mayor Kate
NOES: Councilmembers: None
ABSENT: Councilmembers: Hill & Llorens Gulati

Approved Appointments

SAN RAFAEL SUCCESSOR AGENCY:

1. Consent Calendar: - None.

ADJOURNMENT:

Mayor Kate adjourned the meeting at 9:29 p.m.

LINDSAY LARA, City Clerk

APPROVED THIS ____ DAY OF _____, 2022

KATE COLIN, Mayor



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Attorney

Prepared by: Lisa Goldfien,
Assistant City Attorney

City Manager Approval: _____

A handwritten signature in black ink, appearing to be the initials 'JS' or similar, written over a horizontal line.

TOPIC: USE OF TELECONFERENCING FOR PUBLIC MEETINGS DURING STATE OF EMERGENCY

SUBJECT: RESOLUTION PURSUANT TO ASSEMBLY BILL 361 MAKING FINDINGS AND CONFIRMING THE NEED FOR CONTINUED USE OF TELECONFERENCING TO HOLD PUBLIC MEETINGS OF THE SAN RAFAEL CITY COUNCIL AND CITY BOARDS AND COMMISSIONS DURING THE CONTINUING STATE OF EMERGENCY RELATING TO THE COVID-19 PANDEMIC

RECOMMENDATION:

Adopt the resolution pursuant to Assembly Bill 361 making findings and confirming the need for continued use of teleconferencing to hold public meetings of the San Rafael City Council and City boards and commissions during the continuing state of emergency relating to the COVID-19 pandemic

BACKGROUND:

The Ralph M. Brown Act (“Brown Act”) requires that except as specifically provided, “meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body”. (Gov. Code §54953(a).) For many years, the Brown Act has authorized members of a local agency’s legislative body to attend a public meeting by teleconference in compliance with strict procedural requirements. Under Government Code section 54953(b)(3), to use teleconferencing, at least a quorum of the legislative body must participate from locations within agency’s boundaries, and the agency must give notice of each teleconference location, post an agenda at each teleconference location, provide for public access to each teleconference location, and allow members of the public to address the Council at each teleconference location.

On March 4, 2020, Governor Newsom declared a statewide state of emergency in connection with the COVID-19 pandemic. Subsequently, on March 18, 2020, the Governor issued Executive Order [No. N-29-20](#) suspending the Brown Act’s requirements for in-person meetings and facilitating the use of teleconferencing for public meetings during the state of emergency. The Executive Order authorized public meetings to be held by teleconference only, provided that notice and accessibility requirements are met, members of the public are allowed to observe and address the legislative body at the meeting, and there is a procedure for receiving and swiftly resolving requests for reasonable accommodation for individuals with disabilities. This order has allowed the City Council and the City’s other formal boards

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

and commissions to hold their public meetings using teleconferencing technologies, with the requisite notice and public participation; however, the order was due to expire on September 30, 2021, and without legislative action, in-person meetings and the strict teleconferencing procedures of the Brown Act would again be required.

Because the statewide state of emergency continues and the COVID-19 pandemic still poses a health risk for public meetings, on September 16, 2021, Governor Newsom signed into law as an urgency measure Assembly Bill (AB) 361. [AB 361](#) amends the Brown Act provisions governing the use of teleconferencing for public meetings of a local agency's legislative bodies, allowing more liberal teleconferencing requirements to continue during the current and future state-declared emergencies.

ANALYSIS:

Executive Order N-29-20 has now expired, but AB 361 is now in effect, and its amendments to the Brown Act will allow the City to continue to hold its meetings using teleconferencing technology after September 30. Government Code section 54953, as amended by AB 361, now provides in new subsection (e)(1), that during the current and any future state-declared state of emergency, the legislative body of a local agency may use teleconferencing without complying with the procedural requirements of Government Code section 54953(b)(3) in any of three circumstances:

(A) The legislative body holds a meeting during a proclaimed state of emergency, and state or local officials have imposed or recommended measures to promote social distancing.

(B) The legislative body holds a meeting during a proclaimed state of emergency for the purpose of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

(C) The legislative body holds a meeting during a proclaimed state of emergency and has determined, by majority vote, pursuant to subparagraph (B), that, as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

Certain additional requirements would apply under the new law, however, including specific requirements as to how public comment must be allowed and heard, with which the City already complies. In addition:

- In the event of a disruption which prevents the City from broadcasting the meeting to members of the public using the call-in option or internet-based service option, or in the event of a disruption within the City's control which prevents members of the public from offering public comments using the call-in option or internet-based service option, the legislative body shall take no further action on items appearing on the meeting agenda until public access to the meeting via the call-in option or internet-based service option is restored. Actions taken on agenda items during a disruption which prevents the public agency from broadcasting the meeting may be challenged pursuant to Section 54960.1.
- If a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, in order to continue to teleconference without compliance with paragraph (3) of subdivision (b), the legislative body shall, not later than 30 days after teleconferencing for the first time pursuant to subparagraph (A), (B), or (C) of paragraph (1), and every 30 days thereafter, make the following findings by majority vote:
 - The legislative body has reconsidered the circumstances of the state of emergency.
 - Any of the following circumstances exist:

- (i) The state of emergency continues to directly impact the ability of the members to meet safely in person.
- (ii) State or local officials continue to impose or recommend measures to promote social distancing.

The resolution before the City Council is intended to comply with the requirement to make specified findings every 30 days. The resolution finds that the state of emergency continues in effect, that measures to promote social distancing are still being imposed by the state and county, and that the state of emergency directly impacts the ability of the public and the members of the City's Council, boards, and commissions to meet safely in person. The proposed resolution confirms the City Council's determination that all public meetings of the City's legislative bodies (the Council and all formal boards and commissions) should continue to be held using only teleconferencing technology.

Staff plans to agendize the same type of resolution at each regular City Council meeting during the pendency of the statewide state of emergency, so that the Council may continue to reconsider these findings at least every 30 days.

The Brown Act amendments adopted by AB 361 will be operative until January 1, 2024, and will then expire unless extended by new legislation.

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the attached resolution.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution as proposed.
2. Adopt a modified resolution.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution pursuant to Assembly Bill 361 making findings and confirming the need for continued use of teleconferencing to hold public meetings of the San Rafael City Council and City boards and commissions during the continuing state of emergency relating to the COVID-19 pandemic.

ATTACHMENTS:

1. Resolution

RESOLUTION NO.

**RESOLUTION OF THE SAN RAFAEL CITY COUNCIL PURSUANT TO ASSEMBLY BILL 361
MAKING FINDINGS AND CONFIRMING THE NEED FOR CONTINUED USE OF
TELECONFERENCING TO HOLD PUBLIC MEETINGS OF THE SAN RAFAEL CITY COUNCIL
AND CITY BOARDS AND COMMISSIONS DURING THE CONTINUING STATE OF
EMERGENCY RELATING TO THE COVID-19 PANDEMIC**

WHEREAS, on March 4, 2020 Governor Newsom issued a proclamation pursuant to Government Code Section 8625 declaring a state of emergency in California due to the COVID-19 pandemic; and

WHEREAS, the Ralph M. Brown Act (Gov. Code §§ 54950 et seq.) (hereafter, the “Brown Act”) provides in Government Code section 54953 that “all meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided by this chapter”; and

WHEREAS, Government Code section 54953(b)(3) permits the legislative body of a local agency to use teleconferencing for the benefit of the public and the legislative body in connection with any meeting or proceeding authorized by law, subject to specified procedural requirements including, but not limited to, the posting of agendas at all teleconference locations, the opportunity for members of the public to address the legislative body directly at each teleconference location, and that at least a quorum of the members of the legislative body participate from locations within the boundaries of the territory over which the legislative body exercises jurisdiction; and

WHEREAS, Government Code section 54953(e), added by Assembly Bill 361 effective September 16, 2021, provides, in section 54953(e)(1), that during a state of emergency proclaimed pursuant to Government Code section 8625, the legislative body of a local agency may hold a meeting using teleconferencing without complying with the procedural requirements of section 54953(b)(3), provided that the legislative body complies with the requirements of section 54953(e)(2); and

WHEREAS, pursuant to Government Code section 54953(e)(3), if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, then in order to continue to teleconference without compliance with the requirements of section 54953(b)(3), the legislative body shall make specified findings at least every 30 days; and

WHEREAS, the City Council has reconsidered the circumstances of the proclaimed COVID-19-related state of emergency and finds that it remains active; and

WHEREAS, the City Council finds that state and/or local officials continue to impose or recommend measures to promote social distancing, as follows:

- a. The July 28, 2021 California Department of Public Health Guidance for the Use of Face Coverings recommending universal masking indoors statewide to promote social distancing is still in effect; and

- b. The August 2, 2021 Marin County Department of Public Health order requiring all people to wear masks in public indoor settings to promote social distancing is still in effect; and

WHEREAS, the City Council finds that the state of emergency continues to directly impact the ability of the members of the City Council and other City boards and commissions to meet safely in person;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael that in order to protect the safety of the members of the public, the City Council and all City boards and commissions, for the 30 days following adoption of this resolution, public meetings of the City's legislative bodies shall continue to be held using teleconferencing technology in compliance with the requirements of Government Code section 54953(e)(2) and all other applicable laws.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael, held on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:


ABSENT: Councilmembers:

Lindsay Lara, City Clerk



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk's Office

Prepared by: Lindsay Lara, City Clerk **City Manager Approval:** _____ 

TOPIC: VACANCIES ON SAN RAFAEL BOARDS AND COMMISSIONS

SUBJECT: ANNOUNCEMENT OF VACANCIES ON THE CANNABIS INDUSTRY TAX OVERSIGHT COMMITTEE AND THE FIRE COMMISSION

RECOMMENDATION:
Receive and file the announcement of upcoming vacancies on San Rafael's Boards and Commissions.

BACKGROUND:
The City Clerk's office is currently recruiting to fill upcoming vacancies on our boards and commissions. Community members can apply online to serve on our boards and commissions, and more information and eligibility requirements are as follows:

Cannabis Industry Tax Oversight Committee

Board Description: The Cannabis Industry Tax Oversight Committee's purpose is to ensure that all revenues received from the voter approved Cannabis Industry Tax (Measure G) are spent on uses outlined in San Rafael Ordinance 1961.

- Term:* Three Appointments through February 2026
- 2022 Meeting Schedule:* December or January (date to be determined)
- Eligibility Requirements:* Members of the Committee shall be at least 18 years of age and reside within the City limits. The Committee may not include any employee or official of the City, or any vendor, contractor or consultant doing business with the City.

Application Deadline (subject to extension): January 27, 2022.

Fire Commission

Board Description: The Fire Commission consists of five members and two alternate members who advise and support the goals and objectives of the San Rafael Fire Department. In concert with the Fire Chief, Fire Commission Members contribute their experience and expertise with department-related initiatives, such as Public Education and Information, Emergency

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

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Preparedness, support of the San Rafael Fire Foundation, Essential Facilities Project, Photography and documenting Fire Service History.

Term: One appointment through March 2026
One Alternate Member appointment through March 2026

2022 Meeting Schedule: Second Wednesday of each month at 4:00 p.m. (currently virtual)

Eligibility Requirements: Must be a San Rafael resident.

Application Deadline (subject to extension): January 27, 2022

COMMUNITY OUTREACH:

The recruitment for applications is being advertised through mass email notification, the City's website, Nextdoor, and Facebook social media platforms.

FISCAL IMPACT:

There is no fiscal impact associated with this report.

RECOMMENDED ACTION:

Receive and file the announcement of upcoming vacancies on San Rafael's Boards and Commissions.



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: City Clerk

Prepared by: Lindsay Lara, City Clerk

City Manager Approval: _____

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TOPIC: PICKLEWEED ADVISORY COMMITTEE APPOINTMENT

SUBJECT: APPROVE APPOINTMENT OF MIGUEL HAU-GUTIERREZ TO THE PICKLEWEED ADVISORY COMMITTEE AS A YOUTH MEMBER TO THE END OF DECEMBER 2024

RECOMMENDED ACTION:

Approve appointment of Miguel Hau-Gutierrez to the Pickleweed Advisory Committee as a youth member to the end of December 2024.

BACKGROUND:

In June 2021, the San Rafael City Clerk's Office called for applications to fill one unexpired four-year term on the Pickleweed Advisory Committee. The recruitment was for one member who resides in the Canal neighborhood and the City Council expressed a desire to have it filled by a youth member. The deadline for applications was left open until filled, and the City Clerk's office received one application.

The [Pickleweed Advisory Committee](#) provides valuable input in representing and advocating for the Canal area resident's needs and wishes for programs and services; and is a primary public networking resource between the Canal residents, representatives from governmental and non-profit agencies, and others. The Pickleweed Advisory Committee works in conjunction with the City of San Rafael. Meetings are held on the first Wednesday of the month at the Albert J. Boro Community Center in Meeting Room 3; however, due to COVID-19 the Pickleweed Advisory Committee is meeting virtually until meetings will resume in-person.

ANALYSIS:

On January 10, 2022, Mayor Kate, Councilmember Llorens Gulati and Pickleweed Advisory Committee staff liaison Steve Mason conducted an interview of Miguel Hau-Gutierrez and recommended his appointment be approved by the City Council.

FISCAL IMPACT: There is no fiscal impact associated with this action.

RECOMMENDATION:

Approve appointment of Miguel Hau-Gutierrez to the Pickleweed Advisory Committee as a youth member to the end of December 2024.

ATTACHMENT:

1. Application

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

#8

COMPLETE

Collector: Web Link 1 (Web Link)
Started: Friday, October 08, 2021 12:08:10 AM
Last Modified: Friday, October 08, 2021 12:44:47 AM
Time Spent: 00:36:36
IP Address: 107.77.212.173

Page 1

Q1

Contact Information

First and Last Name	Miguel Hau-Gutierrez
Address	[REDACTED]
Address 2	[REDACTED]
City/Town	San Rafael
State/Province	CA
ZIP/Postal Code	94901
Email Address	[REDACTED]
Phone Number	[REDACTED]

Q2

Pickleweed Advisory Committee

What Board would you like to apply to?

Page 3

Q6

How long have you lived in San Rafael?

15 years

Q7

Respondent skipped this question

Business Information

Q8

Social Media

How did you hear about this vacant position?

Q9

Do you participate in any civic activities? If so, what are they?

Summer 2021, I volunteered for DoveTail Learning in the We Are Resilient Teen Internship. This internship focuses on youth helping adapt highly regarded adult mental health materials to be more accessible and engaging for my teen peers as a way to help them manage stress and anxiety. This materials are free for any individual or high school classroom online.

Q10

List any civic organizations of which you are a member:

Non-profit DoveTail Learning

Q11

Education:

Terra Linda High School in San Rafael City Schools

Q12

Why are you interested in serving on a board or commission?

I want to give back to my community. My parents immigrated to this country 30 years ago and have lived in the Canal for 25 years. I am the youngest in my family and my 3 older siblings all grew up in the Canal. I have heard about their experience living on different streets in the Canal, attending schools here and participating in programs at pickleweed park. I also have learned what a community of different generations of people of color love the most about the Canal and what they wish could be better. Summer 2020, my dad passed away from Covid-19. I have seen how the pandemic has hurt my family, friends and neighbors in the Canal. My parents have told me the importance of helping your community and I think representing my community and youth like me is a good way to help. I am working hard in high school to go to a good college and come back to keep helping my community after.

Q13

Describe possible areas in which you may have a conflict of interest with the City:

N/A

Q14

Respondent skipped this question

Upload your resume.

Page 4: Demographics

Q15

Ethnicity

[Redacted]

Q16



To which gender do you most identify?

Q17



How old are you?



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: COMMUNITY DEVELOPMENT

**Prepared by: Alicia Giudice, Director
Don Jeppson, Chief Building Official**

City Manager Approval: _____

A handwritten signature in black ink, appearing to be 'AS'.

TOPIC: RESIDENTIAL BUILDING RESALE (RBR) REPORT

SUBJECT: RESOLUTION ADOPTING AN EXTENSION OF TEMPORARY MEASURES FOR ADMINISTERING THE RESIDENTIAL BUILDING RECORD PROGRAM (“RBR PROGRAM”) SET FORTH IN SAN RAFAEL MUNICIPAL CODE TITLE 12 (BUILDING REGULATIONS), CHAPTER 12.36 (REPORT OF RESIDENTIAL BUILDING RECORD) DURING THE HIGH DEMAND REAL ESTATE MARKET AND COVID-19 PANDEMIC

RECOMMENDATION:

Adopt resolution to extend temporary measures for administering the RBR Program.

BACKGROUND:

The City’s Residential Building Inspection Program (RBR), established in 1973 by Ordinance No. 1128, requires property owners to obtain a “report of residential building record” (resale report) prior to the sale or exchange of any residential building. The program includes a City inspection for which the findings are incorporated in the resale report. This program was updated in December 2016 by [Ordinance No. 1945](#) and City Council [Resolution No. 14243](#) which set forth the adopted policies, practices, and procedures for administering and enforcing the RBR Program; and b) Resolution No. 14244, which updated the RBR Program fee schedule.

In November 2020, the City Council adopted [Resolution No. 14870](#) which temporarily adjusted RBR fees and temporarily ceased the City’s inspection portion of the RBR Program for six months. The resolution allowed for a temporary modification to the RBR program due to the COVID-19 pandemic, an influx of building permit inspection requests and the reduction of staff due to retirements. In May 2021, the City Council adopted Resolution No. 14912 which extended these temporary measures to the end of December 2021. That extension has expired and the City continues to experience a steady volume of building inspection requests. We are close to but not at full inspector staffing, and new COVID-19 cases are once again surging, which has an impact on in-person inspections and also the ability to fill an inspector vacancy. For these reasons, staff is recommending an additional extension of the temporary measures through July 2022.

FOR CITY CLERK ONLY

Council Meeting:

Disposition: Resolution

ANALYSIS:

The following tables provide Building-Related Permit activity for the past two years and RBR statistics for the past four years:

Building-Related Permits	Year 2021	Year 2020 (comparison)
New Building Permit Applications Received (Total Valuation)	3,273 (\$156 million)	3,025 (\$116 million)
Building Permits Issued (Fees Collected)	3,417 (\$4.4 million)	2,940 (\$7.2 million)
Projects and Permits Completed through Final Inspection	984	781
Residential Building Resale Inspection Reports Issued	737	638

Reporting Year	Total RBRs Issued	Total Monthly Average	Total Refunds Issued
2017	634	50	15
2018	635	49	23
2019	592	45	19
2020	638	53	38
2021	737	61	None
2022 (to date)	19	N/A	None

High Demand Real Estate Market & COVID 19 Pandemic

As recently reported in Bay Area news, San Francisco and the South Bay are experiencing an exodus of City residents that are moving outward to the suburbs. A combination of factors is causing this exodus including: 1) a permanent and sustained shift in the workforce to working from home which started during the COVID-19 Shelter-in-Place Order; 2) high rents in San Francisco; and 3) low interest rates for real estate loans. Local realtors have reported record numbers of new clients seeking housing in Marin. Further, the available real estate inventory is low, so property that is placed on the market sells quickly, resulting in shorter transaction periods.

RBR applications remain at high levels and in 2021 showed an increase of over 15% from the prior year. One Building Inspector has been dedicated to administering the inspections and resale reports. Other staff in the Building Division have had to step in to assist during periods of heavy application/inspection activity. Because of reduced staffing resulting from the COVID-19 pandemic and increased demand for building permits, the Building Division experienced delays in processing, inspecting, and issuing the resale reports before the temporary measures were adopted. As the sellers, buyers and realtors rely on the information from the RBR in the property sale process, these issuance delays of the resale reports cause significant challenges for our customers.

Temporary RBR Program Measures

Staff has continued close collaboration with the Marin Association of Realtors to meet the current high demand for real estate and there is an interest in continuing the temporary measures which include the following:

1. Continue to temporarily cease the City inspection part of the process.
2. Prepare and issue a resale report that provides property information and the permit history on file with the City.
3. Continue temporarily reduced RBR fees. The recommended fee reduction is discussed in the Fiscal Impact section of this report.
4. Apply these interim measures through July 31, 2022.

Staff finds that the extension of temporary measures will assist in reducing turnaround time for issuance of a resale report and allow the City’s RBR inspector to be deployed to separate, needed inspection services. Further, the issuance of an RBR report that only provides the property permit history would be modeled after similar resale programs in Marin where no inspection is completed (e.g., Town of Corte Madera).

An additional advantage of the extended temporary measures is the safety provided to the customer and the Building Inspector. With the current high demand real estate market where the available inventory is selling quickly, a great number of sellers are remaining in their homes during the property listing and sale process. As a result, there is a greater number of person-to-person encounters during the RBR inspection process, which the temporary measures would curtail as a safety measure to combat the spread of COVID-19.

There are two downsides to these interim measures. First, without a City inspection, unpermitted work would not be identified and cited for correction. Second, if unpermitted work is not cited, there would be a temporary reduction in projected revenue (discussed below in Fiscal Impact section) that is generated from the issuance of retroactive permits with fines/penalties.

FISCAL IMPACT:

The administration of the RBR Program is funded by fees. As noted above, on [December 5, 2016](#) the City Council adopted an update of the RBR Program fee schedule. The adopted RBR fees are presented in the table below. The fees are based on a 2016 cost study that was prepared by staff, which represents staff time to complete the service, including a minor amount of overhead. Completing the field inspection and reporting the inspection findings represents approximately 50% of the service time and cost represented in the adopted fees. Therefore, staff is recommending that during this interim period, the RBR fees be temporarily reduced as presented in the table below (right column).

RBR Service	Currently Adopted Report Fees	Temporary Fee Reduction (Recommended)
Resale Report- Single-Family Residential	\$290.00	\$145.00
Resale Report - Duplex	\$290.00/unit	\$145.00/unit
Resale Report- Multiple-Family/Apartments First Unit.	\$270.00	\$135.00
Each additional Multiple-Family Dwelling/Apt. Unit	\$30.00	\$15.00
Resale Report- Condominiums	\$255.00	\$128.00
Appeal	\$100.00	NA

Please note two factors. First, a “not applicable” entry has been placed in this table for appeals. An appeal is offered to the customer that challenges the field inspection findings that are reported in the RBR. If, during this interim period no field inspections are conducted, there would be no appeals. Second, during this interim period, the fee would not be refundable. The current refund that is offered is for a “clean” resale report that is issued based on the findings of the field inspection, which would not be conducted during this interim period.

As noted, retroactive permits and penalties for unpermitted work that is disclosed as part of the RBR inspection process leads to revenue collection. If the recommended resolution is adopted and inspections are waived to the end of July, it is estimated that \$80,000-100,000 in projected revenue from retroactive building permit and penalties (investigation fees) may not be realized.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution as proposed by staff.

2. Adopt the resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt resolution.

ATTACHMENTS:

1. Resolution

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL ADOPTING AN EXTENSION OF TEMPORARY MEASURES FOR ADMINISTERING THE RESIDENTIAL BUILDING RECORD PROGRAM (“RBR PROGRAM”) SET FORTH IN SAN RAFAEL MUNICIPAL CODE TITLE 12 (BUILDING REGULATIONS), CHAPTER 12.36 (REPORT OF RESIDENTIAL BUILDING RECORD) DURING THE HIGH DEMAND REAL ESTATE MARKET AND COVID-19 PANDEMIC

WHEREAS, on December 16, 2016, the City Council adopted Ordinance No. 1945 amending San Rafael Municipal Code Title 12, Chapter 12.36 (Report of Residential Building Record), which set forth the general administration and enforcement of what is known as the RBR Program. The RBR Program requires that upon resale of any residential property within the City, the property seller shall obtain from the City a report (resale report) of the City permit records and City inspection of the property. The resale report provides an added level of disclosure to the purchaser of the property; and

WHEREAS, in tandem with the adoption of Ordinance No. 1945, on December 16, 2016 the City Council adopted: a) Resolution No. 14243 which sets forth the specific policies, practices, and procedures for administering the RBR Program; and b) Resolution No. 14244 which amended the City’s Master Fee Schedule to update fees specific to the RBR Program; and

WHEREAS, Resolution No. 14243 includes, among others the specific process steps for and required information to be included in a resale report. The resale report must include a complete history of the property permit records (Building and Planning Division permits) and code enforcement cases on file with the City. Further, a property inspection must be conducted by a City inspector and the resale report shall include the findings of the inspection and shall cite violations and/or unpermitted construction that must be corrected or remedied. This resolution also includes a commitment that within seven (7) business days following City receipt of the RBR application, City staff is to contact the property owner/seller or their representative to schedule a date and time for City inspection of the property; and

WHEREAS, on November 16, 2020, the City Council adopted Resolution No. 14757 which temporarily adjusted RBR fees and temporarily ceased the City’s inspection portion of the RBR Program for six months. The resolution allowed, with an assessment from Community Development Department staff on the status of the real estate market and the COVID-19 pandemic, an extension of temporary measures with approval of the City Council.

WHEREAS, on May 17, 2021, the City Council adopted Resolution No. 14912 which continued temporarily adjusted RBR fees and temporarily ceased the City’s inspection portion of the RBR Program to the end of December 2021.

WHEREAS, San Francisco and the South Bay continue experiencing an exodus of residents moving outward to the suburbs. A combination of factors is causing this exodus including: 1) a permanent and sustained shift in the workforce to working from home which started during the COVID 19 Shelter-in-Place Order; 2) high rents in the San Francisco and South Bay; and 3) the low interest mortgage loan rates. The high

demand real estate market has resulted in a low inventory and shorter property sale transaction periods; and

WHEREAS, during the COVID-19 pandemic building permits and RBRs have increased while there have been significant budget cuts and staffing reductions resulting in slower processing times and inspection scheduling for resale reports; and

WHEREAS, the Community Development Department staff has continued to collaborate with Marin Association of Realtors on the extension of temporary, interim measures for administering the RBR Program during the pandemic and this high demand real estate market. The interim measures include temporarily ceasing the City inspection portion of the RBR Program through July 31, 2022;

NOW, THEREFORE, BE IT RESOLVED, that the City Council hereby adopts the following temporary measures for administering the RBR Program:

1. The temporary measures authorized by this Resolution shall be in place and in effect through July 31, 2022.
2. The City inspection, reporting of the inspection results, and the citing of violations and unpermitted improvements outlined in and required by City Council Resolution No. 14243 shall cease during this temporary period. All other RBR Program tasks and actions outlined in Resolution No. 14243 shall continue to be administered by the City.
3. During this temporary period, the contents of the resale reports shall follow the requirements set forth in San Rafael Municipal Code Chapter 12.36 (Report of Residential Building Record), Section 12.36.060 (contents of report) except that the report will not include City site inspection findings.
4. The RBR application and related fees shall temporarily be adjusted as follows:

RBR Service	Temporary Fee Reduction
Resale Report- Single-Family Residential	\$145.00
Resale Report - Duplex	\$145.00/unit
Resale Report- Multiple-Family/Apartments First Unit.	\$135.00
Each additional Multiple-Family Dwelling/Apt. Unit	\$15.00
Resale Report- Condominiums	\$128.00
Appeal	NA

During this temporary period, no refunds will be issued.

5. During this temporary period, issued resale reports shall continue to be valid for a period of six (6) months with the ability for a one-time extension of up to an additional 90 days.
6. Following the sunset date or further extension of these temporary regulations, enforcement of the RBR Program shall resume consistent with the adopted policies, practices and procedures set forth in City Council Resolution No. 14243. Further, at that time, the RBR fees shall return to the full application fee amounts set forth in the City of San Rafael Master Fee Schedule.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of San Rafael, held on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk




Agenda Item No: 5.f
Meeting Date: January 18, 2022

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Finance

Prepared by: Nadine Atieh Hade,
Finance Director

City Manager Approval: _____ 

TOPIC: CITY QUARTERLY INVESTMENT REPORT

SUBJECT: ACCEPTANCE OF CITY OF SAN RAFAEL QUARTERLY INVESTMENT REPORT FOR THE QUARTER ENDING DECEMBER 31, 2021

RECOMMENDATION: Accept investment report for the quarter ending December 31, 2021, as presented.

BACKGROUND: Pursuant to the State of California Government Code Section 53601 and the City's investment policy, last approved by the City Council on [June 7, 2021](#), staff provides the City Council a quarterly report on the City's investment activities and liquidity. Included in the report are the cost of each investment, the interest rates (yield), maturity dates, and market value. Separate reports are prepared for the City and the Successor Agency to San Rafael Redevelopment Agency.

The City invests a portion of its pooled funds in the [Local Agency Investment Fund \(LAIF\)](#), a State-run investment pool. Beginning in March 2014, the City incorporated an investment strategy that added purchases of securities outside of LAIF with the assistance of its investment advisor, Insight Investment.

ANALYSIS: As of December 31, 2021, the primary LAIF account had a balance of \$36,503,021. Portfolio returns on LAIF deposits were 0.21% for the quarter ending December 31, 2021. The remaining investment assets include the \$1,159,300 balance of Pt. San Pedro Assessment District bonds, and \$44,493,526 in government agency securities and corporate bonds (including American Express, JP Morgan Chase, Walmart Inc., Apple Inc., American Honda Finance, Procter Gamble Co., Toyota, Caterpillar, Bank of America, John Deere, Citibank, PNC Financial Services, US Bancorp, IBM Corp, 3M Company, and PepsiCo). The overall total portfolio returns for the quarter ended December 31, 2021, were 0.55%.

The City's Westamerica general operating bank account had a balance of \$12,029,881 at quarter end.

Exhibit A is composed of three parts: (1) Quarterly Investment Portfolio Report; (2) Historical Activity by Quarter summarizing the City's investments; and (3) the three monthly investment reports from Insight Investment for the quarter.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

FISCAL IMPACT: No financial impact occurs by adopting the report. The City continues to meet the priority principles of investing - safety, liquidity and yield in respective order. The portfolio remains conservatively invested. Sufficient liquidity exists to meet daily operating and capital project requirements for the next six months. Operating funds, as defined for this report, exclude cash held with fiscal agents for the payment of bond principal and interest.

RECOMMENDATION: Accept investment report for the quarter ending December 31, 2021, as presented.

ATTACHMENTS:

Exhibit A:

1. Quarterly Investment Portfolio Report
2. Historical Activity by Quarter Report
3. Insight Investment Statements, October through December 2021

I CERTIFY THAT ALL INVESTMENTS MADE ARE IN CONFORMANCE WITH THE CITY'S APPROVED INVESTMENT POLICY AND STATE INVESTMENT REGULATIONS. THE CITY HAS SUFFICIENT LIQUIDITY TO MEET ALL OF THE OBLIGATIONS REQUIRED DURING THE NEXT SIX-MONTH PERIOD.

A handwritten signature in blue ink that reads "Nadine Atieh Hade". The signature is written in a cursive style.

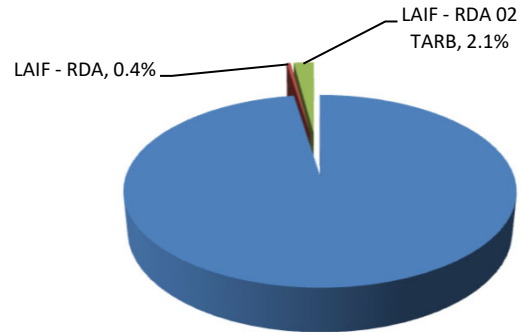
NADINE ATIEH HADE
FINANCE DIRECTOR

City of Rafael

Quarterly Investment Portfolio Report

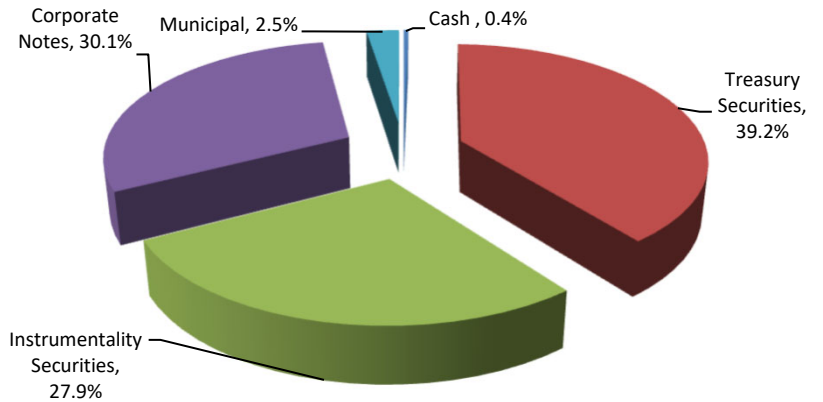
December 31, 2021

Internally Managed Assets		%	Return
LAIF	\$ 36,503,021	97.5%	0.21%
LAIF - RDA	\$ 155,163	0.4%	0.21%
LAIF - RDA 02 TARB	\$ 769,920	2.1%	0.21%
Total Internally Managed	\$ 37,428,104	45.0%	



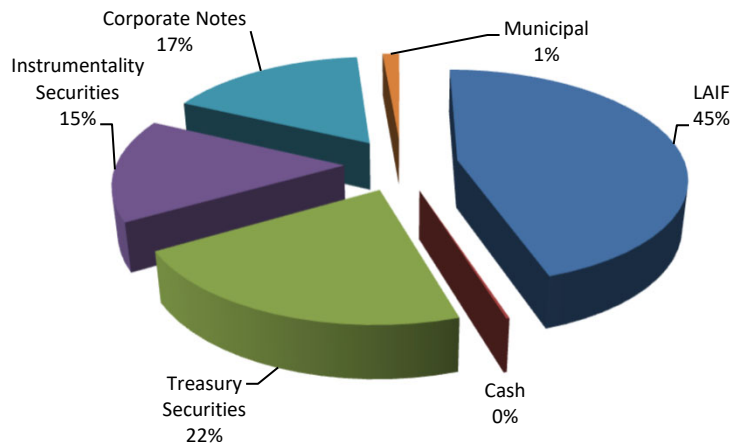
Weighted Average Yield	0.21%
Effective Average Duration - Internal	1
Weighted Average Maturity - Internal	1
	LAIF, 97.5%

Externally Managed Assets		%	Return
Cash	\$ 160,462	0.4%	0.02%
Treasury Securities	\$ 17,936,293	39.2%	0.51%
Instrumentality Securities	\$ 12,774,395	27.9%	1.09%
Corporate Notes	\$ 13,782,838	30.1%	0.65%
Municipal	\$ 1,159,300	2.5%	5.25%
Total Externally Managed	\$ 45,813,288	55.0%	



Weighted Average Yield	0.83%
Effective Average Duration - External	1.68
Weighted Average Maturity - External	1.87

Total Portfolio Assets		%	Return
LAIF	\$ 37,428,104	45.0%	0.21%
Cash	\$ 160,462	0.2%	0.02%
Treasury Securities	\$ 17,936,293	21.5%	0.51%
Instrumentality Securities	\$ 12,774,395	15.3%	1.09%
Corporate Notes	\$ 13,782,838	16.6%	0.65%
Municipal	\$ 1,159,300	1.4%	5.25%
Total Portfolio Assets	\$ 83,241,391		



Weighted Average Yield	0.55%
Effective Average Duration - Total	0.93
Weighted Average Maturity - Total	1.03

Based on Market Values

City of San Rafael

Historical Activity-By Quarter

	December 31, 2021			September 30, 2021			June 30, 2021			March 31, 2021			December 31, 2020			September 30, 2020		
Internally Managed Assets	\$	%	Return	\$	%	Return	\$	%	Return	\$	%	Return	\$	%	Return	\$	%	Return
LAIF	\$ 37,272,941	99.6%	0.21%	\$ 40,246,878	99.6%	0.21%	\$ 45,213,641	99.7%	0.26%	\$ 40,171,329	99.6%	0.36%	\$ 35,129,481	99.6%	0.54%	\$ 23,075,641	99.3%	0.68%
LAIF - Housing	\$ 155,163	0.4%	0.21%	\$ 155,068	0.4%	0.21%	\$ 154,942	0.3%	0.26%	\$ 154,773	0.4%	0.36%	\$ 154,528	0.4%	0.54%	\$ 154,201	0.7%	0.68%
Total Internally Managed	\$ 37,428,104	45.0%		\$ 40,401,946	54.7%		\$ 45,368,583	57.5%		\$ 40,326,102	65.2%		\$ 35,284,009	61.5%		\$ 23,229,842	51.3%	
Weighted Average Yield			0.21%			0.21%			0.26%			0.36%			0.54%			0.68%
Externally Managed Assets		%	Return		%	Return		%	Return		%	Return		%	Return		%	Return
Cash	\$ 160,462	0.4%	0.02%	\$ 106,899	9.2%	0.02%	\$ 56,088	0.2%	0.01%	\$ 260,338	21.0%	0.01%	\$ 278,791	22.5%	0.01%	\$ 387,991	31.3%	0.00%
Treasury Securities	\$ 17,936,293	39.2%	0.51%	\$ 6,202,242	18.5%	0.69%	\$ 4,439,182	13.3%	0.70%	\$ 1,455,053	6.8%	1.54%	\$ 1,464,113	6.6%	1.54%	\$ 1,470,457	6.7%	1.54%
Instrumentality Securities	\$ 12,774,395	27.9%	1.09%	\$ 12,058,266	36.1%	1.23%	\$ 13,695,843	40.9%	1.21%	\$ 11,757,213	54.6%	1.54%	\$ 12,320,155	55.9%	1.58%	\$ 12,173,214	55.3%	1.70%
Corporate Notes	\$ 13,782,838	30.1%	0.65%	\$ 13,918,907	41.6%	0.66%	\$ 14,048,276	42.0%	0.68%	\$ 6,830,936	31.7%	1.40%	\$ 6,747,102	30.6%	2.02%	\$ 6,751,751	30.7%	2.06%
Municipal/Assessment District	\$ 1,159,300	2.5%	5.25%	\$ 1,159,300	3.5%	5.25%	\$ 1,239,200	3.7%	5.25%	\$ 1,239,200	5.8%	5.25%	\$ 1,239,200	5.6%	5.25%	\$ 1,239,200	5.6%	5.25%
Total Externally Managed	\$ 45,813,288	55.0%		\$ 33,445,614	45.3%		\$ 33,478,588	42.5%		\$ 21,542,739	34.8%		\$ 22,049,361	38.5%		\$ 22,022,613	48.7%	
Weighted Average Yield			0.83%			1.03%			1.07%			1.69%			1.90%			1.97%
			Years			Years			Years			Years			Years			Years
Effective Average Duration - External			1.68			1.91			2.02			1.90			1.91			1.91
Weighted Average Maturity - External			1.87			2.26			2.39			2.32			2.22			2.22
Total Portfolio Assets		%	Return		%	Return		%	Return		%	Return		%	Return		%	Return
LAIF	\$ 37,428,104	45.0%	0.21%	\$ 40,401,946	54.7%	0.21%	\$ 45,368,583	57.5%	0.26%	\$ 40,326,102	65.2%	0.36%	\$ 35,284,009	61.5%	0.54%	\$ 23,229,842	51.3%	0.68%
Cash	\$ 160,462	0.2%	0.02%	\$ 106,899	0.1%	0.02%	\$ 56,088	0.1%	0.01%	\$ 260,338	0.4%	0.01%	\$ 278,791	0.5%	0.01%	\$ 387,991	0.9%	0.00%
Treasury Securities	\$ 17,936,293	21.5%	0.51%	\$ 6,202,242	8.4%	0.69%	\$ 4,439,182	5.6%	0.70%	\$ 1,455,053	2.4%	1.54%	\$ 1,464,113	2.6%	1.54%	\$ 1,470,457	3.2%	1.54%
Instrumentality Securities	\$ 12,774,395	15.3%	1.09%	\$ 12,058,266	16.3%	1.23%	\$ 13,695,843	17.4%	1.21%	\$ 11,757,213	19.0%	1.54%	\$ 12,320,155	21.5%	1.58%	\$ 12,173,214	26.9%	1.70%
Corporate Notes	\$ 13,782,838	16.6%	0.65%	\$ 13,918,907	18.8%	0.66%	\$ 14,048,276	17.8%	0.68%	\$ 6,830,936	11.0%	1.40%	\$ 6,747,102	11.8%	2.02%	\$ 6,751,751	14.9%	2.06%
Municipal/Assessment District	\$ 1,159,300	1.4%	5.25%	\$ 1,159,300	1.6%	5.25%	\$ 1,239,200	1.6%	5.25%	\$ 1,239,200	2.0%	5.25%	\$ 1,239,200	2.2%	5.25%	\$ 1,239,200	2.7%	5.25%
Total Portfolio Assets	\$ 83,241,391			\$ 73,847,559			\$ 78,847,170			\$ 61,868,840			\$ 57,333,369			\$ 45,252,454		
Weighted Average Yield			0.55%			0.58%			0.60%			0.82%			1.06%			1.31%
			Years			Years			Years			Years			Years			Years
Effective Average Duration - Total			0.93			0.87			0.86			0.66			0.74			0.93
Weighted Average Maturity - Total			1.03			1.03			1.02			0.81			0.86			1.08

Performance Recap

- The weighted average quarterly portfolio yield decreased from 0.58% to 0.55% during the past quarter. The yield has decreased over the past year, from 1.06% in the quarter ended December 31, 2020 to 0.55% in the most recent quarter. This trend is reflective of the general decrease in interest rates during the period.
- The effective average duration increased, from 0.87 to 0.93 years since last quarter.
- The total portfolio assets decreased by approximately \$9.5 million during the quarter. This is due to the receipt of property tax in December and subsequent transfer to investment accounts

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SAN RAFAEL

October 2021



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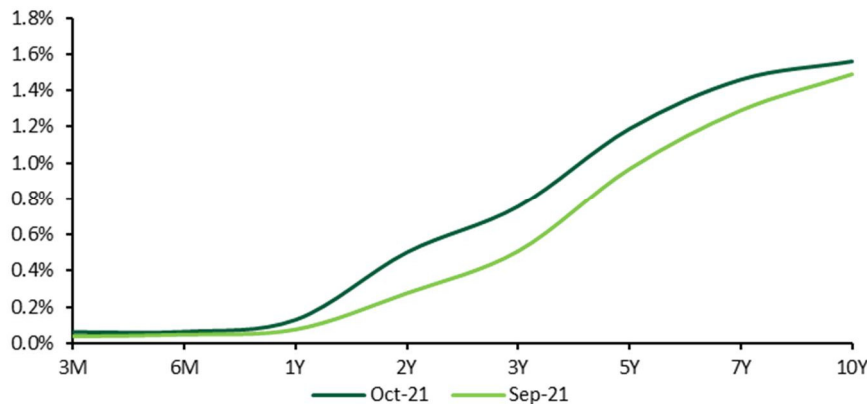
As of October 31, 2021

Chart 1: Fixed income market volatility rises partly on inflation concerns



Source: Bloomberg, October 31, 2021

Chart 2: Yields rise from 1-year to 10-year maturities



Source: Bloomberg, October 31, 2021

Economic Indicators and Monetary Policy

Volatility increased in fixed income markets (Chart 1) as short-dated Treasury yields rose (Chart 2), partly given inflation concerns, although volatility within riskier assets remained relatively muted.

The minutes from the September 22 FOMC meeting revealed officials discussed an “illustrative tapering path” involving tapering Treasury purchases \$10bn per month and MBS purchases by \$5bn per month, meaning tapering would end after eight months. This continued to leave the market anticipating a taper announcement at the November meeting.

Headline CPI came in slightly higher than expected at 5.4% (versus 5.3%), while core inflation was in line at 4%. This essentially displayed a stabilization of CPI, but stubbornly at an elevated level with monthly inflation relatively muted and in line with the pre-pandemic trend. Notably, there was a slight pick-up in shelter inflation, with owners’ equivalent rent at 0.4%, opening up the possibility of more sustained inflation trends.

The September jobs report revealed that payrolls grew by 194,000, significantly weaker than the expected 500,000. However, the previous two months were revised up by 169,000, offsetting a large proportion of the miss.

Meanwhile, the unemployment rate continued to fall, dropping from 5.2% to 4.8%, beating expectations of 5.1% because of falling participation and stronger employment. Wage growth was stronger than expected up 0.6%, but this was offset by a downward revision to the prior month. Leisure and hospitality wages were up 0.5% and are now up 10.8% pa.

Democratic and Republican Senators agreed to pass legislation to raise the ceiling by enough to get to early December (\$480bn) in a 50-48 vote.

Interest Rate Summary

Yields rose sharply at shorter maturities, although longer-dated yields remained anchored. At the end of October, the 3-month US Treasury bill yielded 0.06%, the 6-month US Treasury bill yielded 0.06%, the 2-year US Treasury note yielded 0.50%, the 5-year US Treasury note yielded 1.19% and the 10-year US Treasury note yielded 1.56%.

ACTIVITY AND PERFORMANCE SUMMARY

For the period October 1, 2021 - October 31, 2021

<u>Amortized Cost Basis Activity Summary</u>		
Opening balance		33,288,214.73
Income received	43,715.26	
Total receipts		43,715.26
Expenses paid	(201.79)	
Total disbursements		(201.79)
Interportfolio transfers	0.00	
Total Interportfolio transfers		0.00
Realized gain (loss)		0.00
Change in accruals from security movement		0.00
Total amortization expense		(29,013.41)
Total OID/MKT accretion income		303.12
Return of capital		0.00
Closing balance		33,303,017.91
Ending fair value		33,330,003.08
Unrealized gain (loss)		26,985.17

<u>Detail of Amortized Cost Basis Return</u>				
	Interest earned	Accretion (amortization)	Realized gain (loss)	Total income
Cash and Cash Equivalents	1.47	0.00	0.00	1.47
Corporate Bonds	31,737.71	(22,875.15)	0.00	8,862.56
Government Agencies	15,192.39	(3,448.63)	0.00	11,743.76
Government Bonds	5,977.58	(2,386.51)	0.00	3,591.07
Municipal/Provincial Bonds	5,241.00	0.00	0.00	5,241.00
Total	58,150.15	(28,710.29)	0.00	29,439.86

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.05	0.02	0.00
Merrill Lynch 3m US Treas Bill	0.03	0.01	0.00
Merrill Lynch 6m US Treas Bill	0.04	0.02	0.00
ML 1 Year US Treasury Note	0.08	0.04	0.01
ML 2 Year US Treasury Note	0.19	0.12	0.03
ML 5 Year US Treasury Note	0.72	0.43	0.09

* rates reflected are cumulative

<u>Summary of Amortized Cost Basis Return for the Period</u>	
	Total portfolio
Interest earned	58,150.15
Accretion (amortization)	(28,710.29)
Realized gain (loss) on sales	0.00
Total income on portfolio	29,439.86
Average daily amortized cost	33,301,898.44
Period return (%)	0.09
YTD return (%)	1.18
Weighted average final maturity in days	815

ACTIVITY AND PERFORMANCE SUMMARY

For the period October 1, 2021 - October 31, 2021

<u>Fair Value Basis Activity Summary</u>		
Opening balance		33,445,614.36
Income received	43,715.26	
Total receipts		43,715.26
Expenses paid	(201.79)	
Total disbursements		(201.79)
Interportfolio transfers	0.00	
Total Interportfolio transfers		0.00
Unrealized gain (loss) on security movements		0.00
Change in accruals from security movement		0.00
Return of capital		0.00
Change in fair value for the period		(159,124.75)
Ending fair value		33,330,003.08

<u>Detail of Fair Value Basis Return</u>			
	Interest earned	Change in fair value	Total income
Cash and Cash Equivalents	1.47	0.00	1.47
Corporate Bonds	31,737.71	(77,476.67)	(45,738.96)
Government Agencies	15,192.39	(41,845.22)	(26,652.83)
Government Bonds	5,977.58	(39,802.86)	(33,825.28)
Municipal/Provincial Bonds	5,241.00	0.00	5,241.00
Total	58,150.15	(159,124.75)	(100,974.60)

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.05	0.02	0.00
ICE Bofa 3 Months US T-BILL	0.06	0.01	0.00
ICE Bofa 6m US Treas Bill	0.11	0.03	0.00
ICE Bofa 1 Yr US Treasury Note	0.13	(0.02)	(0.03)
ICE BofA US Treasury 1-3	(0.23)	(0.33)	(0.30)
ICE BofA US Treasury 1-5	(0.73)	(0.52)	(0.46)

* rates reflected are cumulative

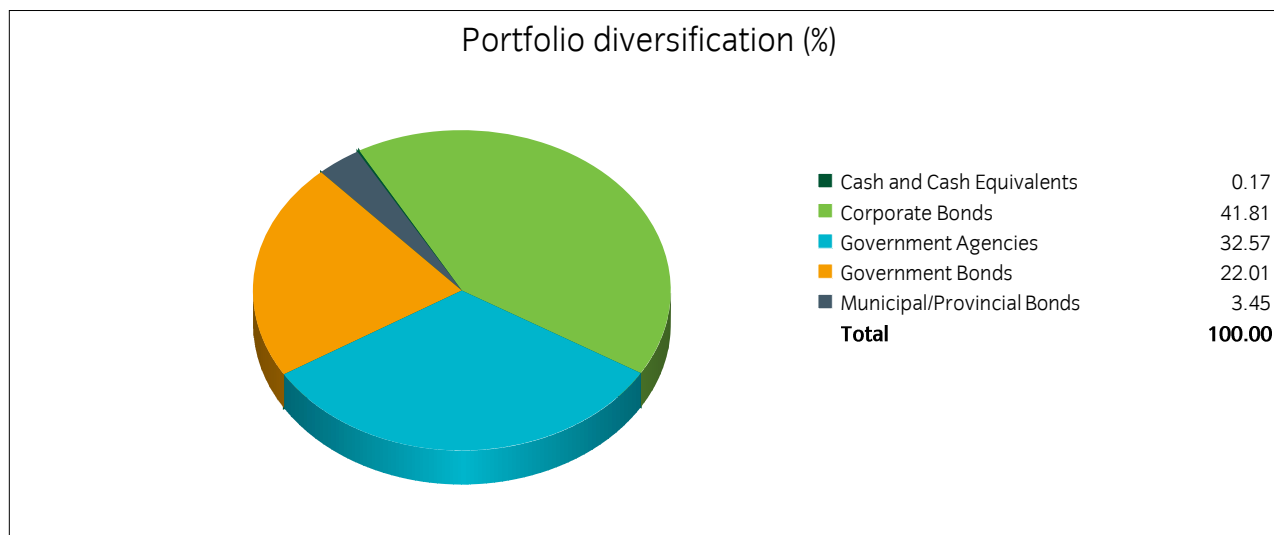
<u>Summary of Fair Value Basis Return for the Period</u>		Total portfolio
Interest earned		58,150.15
Change in fair value		(159,124.75)
Total income on portfolio		(100,974.60)
Average daily total value *		33,545,111.83
Period return (%)		(0.30)
YTD return (%)		(0.11)
Weighted average final maturity in days		815

* Total value equals market value and accrued interest

RECAP OF SECURITIES HELD

As of October 31, 2021

	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Weighted average final maturity (days)	Percent of portfolio	Weighted average effective duration (years)
Cash and Cash Equivalents	55,845.63	55,845.63	55,845.63	0.00	1	0.17	0.00
Corporate Bonds	14,040,447.40	13,866,659.83	13,841,430.35	(25,229.48)	701	41.81	1.67
Government Agencies	10,937,863.07	10,847,215.48	10,916,421.26	69,205.78	610	32.57	1.39
Government Bonds	7,391,032.27	7,373,996.97	7,357,005.84	(16,991.13)	845	22.01	2.28
Municipal/Provincial Bonds	1,159,300.00	1,159,300.00	1,159,300.00	0.00	3,961	3.45	8.37
Total	33,584,488.37	33,303,017.91	33,330,003.08	26,985.17	815	100.00	1.94

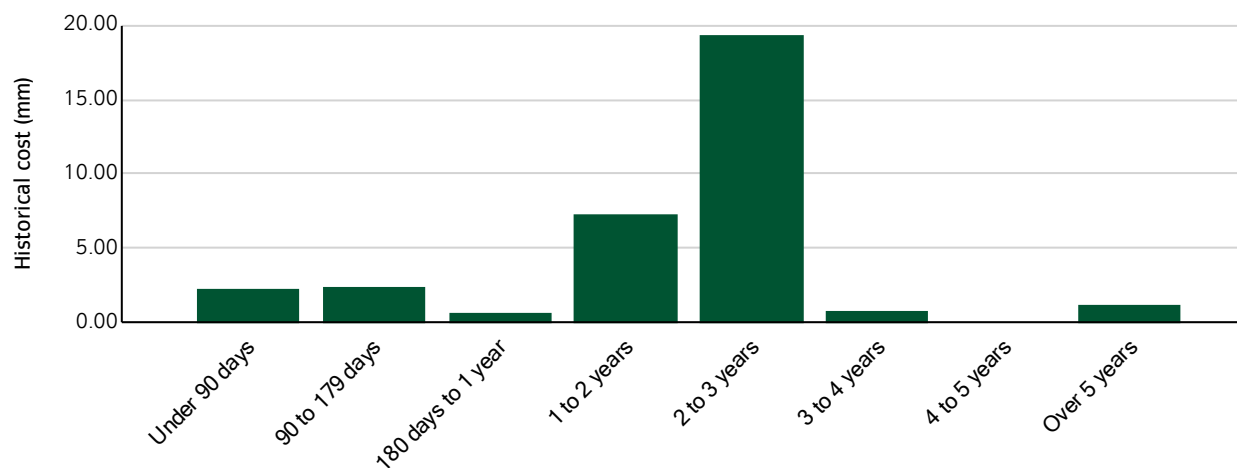


MATURITY DISTRIBUTION OF SECURITIES HELD

As of October 31, 2021

Maturity	Historic cost	Percent
Under 90 days	2,236,094.93	6.66
90 to 179 days	2,346,137.00	6.99
180 days to 1 year	601,716.00	1.79
1 to 2 years	7,188,930.05	21.41
2 to 3 years	19,329,421.33	57.56
3 to 4 years	722,889.06	2.15
4 to 5 years	0.00	0.00
Over 5 years	1,159,300.00	3.45
	33,584,488.37	100.00

Maturity distribution



SECURITIES HELD

As of October 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Cash and Cash Equivalents										
	Cash and Cash Equivalents	0.000		55,845.63	55,845.63	55,845.63	55,845.63	0.00	0.00	0.17
Total Cash and Cash Equivalents				55,845.63	55,845.63	55,845.63	55,845.63	0.00	0.00	0.17
Corporate Bonds										
717081DZ3	PFIZER INC 2.2% 15DEC2021	2.200	12/15/2021	500,000.00	503,615.00	500,226.25	501,179.13	952.88	4,155.56	1.50
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	2.700	03/03/2022 01/31/2022	700,000.00	714,231.00	704,269.30	704,110.40	(158.90)	3,045.00	2.13
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	3.207	04/01/2023 04/01/2022	600,000.00	615,576.00	607,148.86	606,611.54	(537.32)	1,603.50	1.83
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	2.550	04/11/2023 01/11/2023	500,000.00	509,155.00	503,301.93	513,259.52	9,957.59	708.33	1.52
037833AK6	APPLE INC 2.4% 03MAY2023	2.400	05/03/2023	500,000.00	506,880.00	502,858.33	514,024.79	11,166.46	5,933.33	1.51
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	1.950	05/10/2023	1,000,000.00	1,031,510.00	1,023,805.63	1,020,546.44	(3,259.19)	9,262.50	3.07
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	1.350	08/25/2023	700,000.00	714,959.00	711,595.44	709,123.32	(2,472.12)	1,732.50	2.13
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	3.750	11/24/2023	1,000,000.00	1,086,390.00	1,069,711.67	1,064,234.39	(5,477.28)	16,354.17	3.23
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	3.004	12/20/2023 12/20/2022	500,000.00	525,795.00	513,455.41	513,089.17	(366.24)	5,465.61	1.57
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	0.450	01/11/2024	480,000.00	479,342.40	479,372.54	476,392.09	(2,980.45)	660.00	1.43

SECURITIES HELD

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	0.450	01/17/2024	1,000,000.00	1,001,230.00	1,001,005.45	994,650.42	(6,355.03)	1,300.00	2.98
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	3.650	01/23/2024 12/23/2023	500,000.00	541,470.00	534,211.64	529,688.07	(4,523.57)	4,968.06	1.61
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	3.500	01/23/2024 12/24/2023	900,000.00	957,939.00	939,446.45	950,124.83	10,678.38	8,575.00	2.85
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	3.375	02/05/2024 01/05/2024	1,000,000.00	1,079,130.00	1,064,385.28	1,055,164.04	(9,221.24)	8,062.50	3.21
459200HU8	IBM CORP 3.625% 12FEB2024	3.625	02/12/2024	1,000,000.00	1,086,900.00	1,071,431.80	1,061,694.75	(9,737.05)	7,954.86	3.24
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	3.250	02/14/2024 01/14/2024	500,000.00	541,935.00	531,620.50	526,726.75	(4,893.75)	3,475.69	1.61
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	3.600	03/01/2024 12/01/2023	500,000.00	537,465.00	531,936.68	529,529.44	(2,407.24)	3,000.00	1.60
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	3.550	03/05/2024 03/05/2023	500,000.00	535,525.00	518,155.56	518,594.08	438.52	2,761.11	1.59
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	3.559	04/23/2024 04/23/2023	500,000.00	534,240.00	523,042.83	520,387.77	(2,655.06)	395.44	1.59
717081DM2	PFIZER INC 3.4% 15MAY2024	3.400	05/15/2024	500,000.00	537,160.00	535,678.28	532,299.41	(3,378.87)	7,838.89	1.60
Total Corporate Bonds				13,380,000.00	14,040,447.40	13,866,659.83	13,841,430.35	(25,229.48)	97,252.05	41.81
Government Agencies										
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	2.375	01/13/2022	1,650,000.00	1,676,634.30	1,652,391.92	1,657,316.76	4,924.84	11,756.25	4.99

SECURITIES HELD

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	2.500	03/11/2022	1,000,000.00	1,016,330.00	1,002,163.02	1,008,649.75	6,486.73	3,472.22	3.03
3135G0T78	FANNIE MAE 2% 05OCT2022	2.000	10/05/2022	600,000.00	601,716.00	600,492.60	610,172.81	9,680.21	866.67	1.79
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	2.500	12/09/2022	1,000,000.00	1,021,240.00	1,006,840.00	1,025,428.94	18,588.94	9,861.11	3.04
3135G0U43	FANNIE MAE 2.875% 12SEP2023	2.875	09/12/2023	1,000,000.00	1,047,553.22	1,022,362.33	1,043,850.87	21,488.54	3,913.19	3.12
3135G0V34	FANNIE MAE 2.5% 05FEB2024	2.500	02/05/2024	600,000.00	621,262.80	611,216.30	625,846.08	14,629.78	3,583.33	1.85
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.350	04/22/2024	1,000,000.00	1,000,000.00	1,000,000.00	991,717.13	(8,282.87)	87.50	2.98
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23DEC21)	0.350	04/23/2024 12/23/2021	1,000,000.00	1,000,000.00	1,000,000.00	995,257.72	(4,742.28)	1,244.44	2.98
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	0.350	04/26/2024 01/26/2022	1,200,000.00	1,199,700.00	1,199,785.92	1,191,847.16	(7,938.76)	58.33	3.57
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.375	05/06/2024 05/06/2022	1,000,000.00	1,000,000.00	1,000,000.00	995,441.42	(4,558.58)	1,822.92	2.98
3135G0V75	FANNIE MAE 1.75% 02JUL2024	1.750	07/02/2024	750,000.00	753,426.75	751,963.39	770,892.62	18,929.23	4,338.54	2.24
Total Government Agencies				10,800,000.00	10,937,863.07	10,847,215.48	10,916,421.26	69,205.78	41,004.50	32.57
Government Bonds										
912828M80	USA TREASURY 2% 30NOV2022	2.000	11/30/2022	750,000.00	762,072.83	754,594.19	764,794.92	10,200.73	6,270.49	2.27

SECURITIES HELD

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
91282CAW1	USA TREASURY 0.25% 15NOV2023	0.250	11/15/2023	1,000,000.00	1,000,120.54	1,000,096.67	994,531.25	(5,565.42)	1,148.10	2.98
912828U57	USA TREASURY 2.125% 30NOV2023	2.125	11/30/2023	650,000.00	661,529.52	655,865.08	671,378.90	15,513.82	5,774.08	1.97
91282CBA8	USA TREASURY 0.125% 15DEC2023	0.125	12/15/2023	1,200,000.00	1,194,566.52	1,194,742.89	1,189,218.74	(5,524.15)	565.57	3.56
91282CBV2	USA TREASURY 0.375% 15APR2024	0.375	04/15/2024	1,000,000.00	1,001,175.22	1,000,975.18	993,164.06	(7,811.12)	164.84	2.98
91282CCC3	USA TREASURY 0.25% 15MAY2024	0.250	05/15/2024	1,000,000.00	996,878.35	997,366.91	989,492.19	(7,874.72)	1,148.10	2.97
9128282Y5	USA TREASURY 2.125% 30SEP2024	2.125	09/30/2024	1,000,000.00	1,051,800.23	1,048,477.37	1,039,414.06	(9,063.31)	1,809.75	3.13
912828YV6	USA TREASURY 1.5% 30NOV2024	1.500	11/30/2024	700,000.00	722,889.06	721,878.68	715,011.72	(6,866.96)	4,389.34	2.15
Total Government Bonds				7,300,000.00	7,391,032.27	7,373,996.97	7,357,005.84	(16,991.13)	21,270.27	22.01
Municipal/Provincial Bonds										
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	5.250	09/02/2032	1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	9,974.81	3.45
Total Municipal/Provincial Bonds				1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	9,974.81	3.45
Grand total				32,695,145.63	33,584,488.37	33,303,017.91	33,330,003.08	26,985.17	169,501.63	100.00

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of October 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
United States Treasury Note/Bond												
912828M80	USA TREASURY 2%	2.000	11/30/2022		AA+	Aaa	750,000.00	762,072.83	2.27	764,794.92	2.29	1.06
91282CAW1	USA TREASURY 0.25%	0.250	11/15/2023		AA+	Aaa	1,000,000.00	1,000,120.54	2.98	994,531.25	2.98	2.03
912828U57	USA TREASURY 2.125%	2.125	11/30/2023		AA+	Aaa	650,000.00	661,529.52	1.97	671,378.90	2.01	2.03
91282CBA8	USA TREASURY 0.125%	0.125	12/15/2023		AA+	Aaa	1,200,000.00	1,194,566.52	3.56	1,189,218.74	3.57	2.12
91282CBV2	USA TREASURY 0.375%	0.375	04/15/2024		AA+	Aaa	1,000,000.00	1,001,175.22	2.98	993,164.06	2.98	2.44
91282CCC3	USA TREASURY 0.25%	0.250	05/15/2024		AA+	Aaa	1,000,000.00	996,878.35	2.97	989,492.19	2.97	2.53
9128282Y5	USA TREASURY 2.125%	2.125	09/30/2024		AA+	Aaa	1,000,000.00	1,051,800.23	3.13	1,039,414.06	3.12	2.84
912828YV6	USA TREASURY 1.5%	1.500	11/30/2024		AA+	Aaa	700,000.00	722,889.06	2.15	715,011.72	2.15	3.00
Issuer total							7,300,000.00	7,391,032.27	22.01	7,357,005.84	22.07	2.28
Federal National Mortgage Association												
3135G0T78	FANNIE MAE 2%	2.000	10/05/2022		AA+	Aaa	600,000.00	601,716.00	1.79	610,172.81	1.83	0.93
3135G0U43	FANNIE MAE 2.875%	2.875	09/12/2023		AA+	Aaa	1,000,000.00	1,047,553.22	3.12	1,043,850.87	3.13	1.82
3135G0V34	FANNIE MAE 2.5%	2.500	02/05/2024		AA+	Aaa	600,000.00	621,262.80	1.85	625,846.08	1.88	2.20
3136G46B4	FANNIE MAE 0.35%	0.350	04/26/2024	01/26/2022	AA+	Aaa	1,200,000.00	1,199,700.00	3.57	1,191,847.16	3.58	1.66
3135G0V75	FANNIE MAE 1.75%	1.750	07/02/2024		AA+	Aaa	750,000.00	753,426.75	2.24	770,892.62	2.31	2.60
Issuer total							4,150,000.00	4,223,658.77	12.58	4,242,609.54	12.73	1.84
Federal Home Loan Banks												
313378WG2	FEDERAL HOME LOAN	2.500	03/11/2022		AA+	Aaa	1,000,000.00	1,016,330.00	3.03	1,008,649.75	3.03	0.36
3130A3KM5	FEDERAL HOME LOAN	2.500	12/09/2022		AA+	Aaa	1,000,000.00	1,021,240.00	3.04	1,025,428.94	3.08	1.09
3130AMQQ	FEDERAL HOME LOAN	0.350	04/23/2024	12/23/2021	AA+	Aaa	1,000,000.00	1,000,000.00	2.98	995,257.72	2.99	1.48
Issuer total							3,000,000.00	3,037,570.00	9.04	3,029,336.41	9.09	0.97
Federal Farm Credit Banks Funding Corp												
3133EMWV	FEDERAL FARM CREDIT	0.350	04/22/2024		AA+	Aaa	1,000,000.00	1,000,000.00	2.98	991,717.13	2.98	2.46

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Federal Farm Credit Banks Funding Corp												
3133EMYR7	FEDERAL FARM CREDIT	0.375	05/06/2024	05/06/2022	AA+	Aaa	1,000,000.00	1,000,000.00	2.98	995,441.42	2.99	1.67
Issuer total							2,000,000.00	2,000,000.00	5.96	1,987,158.55	5.96	2.07
Federal Home Loan Mortgage Corp												
3137EADB2	FREDDIE MAC 2.375%	2.375	01/13/2022		AA+	Aaa	1,650,000.00	1,676,634.30	4.99	1,657,316.76	4.97	0.21
Issuer total							1,650,000.00	1,676,634.30	4.99	1,657,316.76	4.97	0.21
Toyota Motor Credit Corp												
89236THA6	TOYOTA MOTOR CREDIT	1.350	08/25/2023		A+	A1	700,000.00	714,959.00	2.13	709,123.32	2.13	1.79
89236THU2	TOYOTA MOTOR CREDIT	0.450	01/11/2024		A+	A1	480,000.00	479,342.40	1.43	476,392.09	1.43	2.18
Issuer total							1,180,000.00	1,194,301.40	3.56	1,185,515.41	3.56	1.95
PT. SAN ASSESS DISTRICT												
888599LS4	PT. SAN ASSESS	5.250	09/02/2032		NR	NR	1,159,300.00	1,159,300.00	3.45	1,159,300.00	3.48	8.37
Issuer total							1,159,300.00	1,159,300.00	3.45	1,159,300.00	3.48	8.37
JPMorgan Chase & Co												
46647PBB1	JPMORGAN CHASE & CO	3.207	04/01/2023	04/01/2022	A-	A2	600,000.00	615,576.00	1.83	606,611.54	1.82	0.42
46647PAP1	JPMORGAN CHASE & CO	3.559	04/23/2024	04/23/2023	A-	A2	500,000.00	534,240.00	1.59	520,387.77	1.56	1.45
Issuer total							1,100,000.00	1,149,816.00	3.42	1,126,999.31	3.38	0.90
Caterpillar Financial Services Corp												
14912L5X5	CATERPILLAR FINANCIAL	3.750	11/24/2023		A	A2	1,000,000.00	1,086,390.00	3.23	1,064,234.39	3.19	1.97
Issuer total							1,000,000.00	1,086,390.00	3.23	1,064,234.39	3.19	1.97
International Business Machines Corp												
459200HU8	IBM CORP 3.625%	3.625	02/12/2024		A-	A3	1,000,000.00	1,086,900.00	3.24	1,061,694.75	3.19	2.19
Issuer total							1,000,000.00	1,086,900.00	3.24	1,061,694.75	3.19	2.19

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
US Bancorp												
91159HHV5	US BANCORP 3.375%	3.375	02/05/2024	01/05/2024	A+	A2	1,000,000.00	1,079,130.00	3.21	1,055,164.04	3.17	2.12
Issuer total							1,000,000.00	1,079,130.00	3.21	1,055,164.04	3.17	2.12
Pfizer Inc												
717081DZ3	PFIZER INC 2.2%	2.200	12/15/2021		A+	A2	500,000.00	503,615.00	1.50	501,179.13	1.50	0.13
717081DM2	PFIZER INC 3.4%	3.400	05/15/2024		A+	A2	500,000.00	537,160.00	1.60	532,299.41	1.60	2.42
Issuer total							1,000,000.00	1,040,775.00	3.10	1,033,478.54	3.10	1.31
Bank of America Corp												
06051GHC6	BANK OF AMERICA CORP	3.004	12/20/2023	12/20/2022	A-	A2	500,000.00	525,795.00	1.57	513,089.17	1.54	1.11
06051GHF9	BANK OF AMERICA CORP	3.550	03/05/2024	03/05/2023	A-	A2	500,000.00	535,525.00	1.59	518,594.08	1.56	1.31
Issuer total							1,000,000.00	1,061,320.00	3.16	1,031,683.25	3.10	1.21
American Honda Finance Corp												
02665WDH1	AMERICAN HONDA	1.950	05/10/2023		A-	A3	1,000,000.00	1,031,510.00	3.07	1,020,546.44	3.06	1.49
Issuer total							1,000,000.00	1,031,510.00	3.07	1,020,546.44	3.06	1.49
John Deere Capital Corp												
24422EVN6	JOHN DEERE CAPITAL	0.450	01/17/2024		A	A2	1,000,000.00	1,001,230.00	2.98	994,650.42	2.98	2.20
Issuer total							1,000,000.00	1,001,230.00	2.98	994,650.42	2.98	2.20
PNC Financial Services Group Inc/The												
693475AV7	PNC FINANCIAL	3.500	01/23/2024	12/24/2023	A-	A3	900,000.00	957,939.00	2.85	950,124.83	2.85	2.08
Issuer total							900,000.00	957,939.00	2.85	950,124.83	2.85	2.08
American Express Credit Corp												
0258M0EG0	AMERICAN EXPRESS	2.700	03/03/2022	01/31/2022	A-	A2	700,000.00	714,231.00	2.13	704,110.40	2.11	0.26
Issuer total							700,000.00	714,231.00	2.13	704,110.40	2.11	0.26

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of October 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Citibank NA												
17325FAS7	CITIBANK NA 3.65%	3.650	01/23/2024	12/23/2023	A+	Aa3	500,000.00	541,470.00	1.61	529,688.07	1.59	2.07
Issuer total							500,000.00	541,470.00	1.61	529,688.07	1.59	2.07
PepsiCo Inc												
713448CM8	PEPSICO INC 3.6%	3.600	03/01/2024	12/01/2023	A+	A1	500,000.00	537,465.00	1.60	529,529.44	1.59	2.04
Issuer total							500,000.00	537,465.00	1.60	529,529.44	1.59	2.04
3M Co												
88579YBB6	3M COMPANY 3.25%	3.250	02/14/2024	01/14/2024	A+	A1	500,000.00	541,935.00	1.61	526,726.75	1.58	2.14
Issuer total							500,000.00	541,935.00	1.61	526,726.75	1.58	2.14
Apple Inc												
037833AK6	APPLE INC 2.4%	2.400	05/03/2023		AA+	Aa1	500,000.00	506,880.00	1.51	514,024.79	1.54	1.47
Issuer total							500,000.00	506,880.00	1.51	514,024.79	1.54	1.47
Walmart Inc												
931142DH3	WALMART INC 2.55%	2.550	04/11/2023	01/11/2023	AA	Aa2	500,000.00	509,155.00	1.52	513,259.52	1.54	1.20
Issuer total							500,000.00	509,155.00	1.52	513,259.52	1.54	1.20
Cash and Cash Equivalents												
	INVESTED CASH	0.000					55,845.63	55,845.63	0.00	55,845.63	0.17	0.00
Issuer total							55,845.63	55,845.63	0.00	55,845.63	0.17	0.00
Grand total							32,695,145.63	33,584,488.37	100.00	33,330,003.08	100.00	1.94

SECURITIES PURCHASED

SAN RAFAEL

For the period October 1, 2021 - October 31, 2021

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Unit cost	Principal cost	Accrued interest
Government Bonds								
91282CBA8	USA TREASURY 0.125% 15DEC2023 J.P. MORGAN SECURITIES LLC	10/05/2021 10/07/2021	0.125	12/15/2023	1,200,000.00	99.55	(1,194,566.52)	(467.21)
Total Government Bonds					1,200,000.00		(1,194,566.52)	(467.21)
Grand total					1,200,000.00		(1,194,566.52)	(467.21)

SECURITIES SOLD AND MATURED

For the period October 1, 2021 - October 31, 2021

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost at sale or maturity	Price	Fair value at sale or maturity	Realized gain (loss)	Accrued interest sold
Government Agencies											
3135G0Q89	FNMA FANNIE MAE 1.375% DUE 10-07-2021 REG 1.375 10-07-2021	10/07/2021 10/07/2021	1.375		(1,100,000.00)	1,099,318.00	1,100,000.00	0.00	1,100,000.00	0.00	0.00
Total (Government Agencies)					(1,100,000.00)	1,099,318.00	1,100,000.00		1,100,000.00	0.00	0.00
Grand total					(1,100,000.00)	1,099,318.00	1,100,000.00		1,100,000.00	0.00	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period October 1, 2021 - October 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Cash						
	Cash and Cash Equivalents	0.00	0.00	0.00	1.47	1.47
Total Cash		0.00	0.00	0.00	1.47	1.47
Corporate Bonds						
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	(1,194.73)	0.00	(4,034.86)	1,399.30	0.00
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	(1,375.66)	0.00	(1,581.30)	1,627.50	0.00
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	(1,298.49)	0.00	(3,591.38)	1,679.17	0.00
037833AK6	APPLE INC 2.4% 03MAY2023	(157.92)	0.00	(2,163.90)	1,033.33	0.00
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	(984.54)	0.00	(2,195.83)	1,293.39	0.00
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	(1,123.02)	0.00	(2,627.57)	1,528.47	0.00
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	(2,810.95)	0.00	(8,219.57)	3,229.17	0.00
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	(1,327.75)	0.00	(4,274.96)	1,571.53	0.00
459200HU8	IBM CORP 3.625% 12FEB2024	(2,607.00)	0.00	(7,906.55)	3,121.53	0.00
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	(37.84)	0.00	(5,276.44)	387.50	0.00
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	(1,420.31)	0.00	(1,776.10)	1,656.95	9,621.00
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	(1,296.97)	0.00	(3,058.56)	1,532.34	8,897.50
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	(1,275.77)	0.00	(3,775.59)	1,550.00	0.00
717081DZ3	PFIZER INC 2.2% 15DEC2021	(150.84)	0.00	(844.29)	947.23	0.00
717081DM2	PFIZER INC 3.4% 15MAY2024	(1,169.78)	0.00	(4,111.04)	1,463.89	0.00
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	(1,530.91)	0.00	(6,716.54)	2,712.50	0.00
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	23.79	0.00	(2,484.17)	186.00	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period October 1, 2021 - October 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Corporate Bonds						
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	(531.09)	0.00	(3,797.39)	813.75	0.00
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	(2,375.54)	0.00	(7,798.05)	2,906.25	0.00
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	(229.83)	0.00	(1,242.58)	1,097.91	6,375.00
94988J5R4	WELLS FARGO BANK NA 3.55% 14AUG2023 CALLABLE	0.00	0.00	0.00	0.00	0.00
Total Corporate Bonds		(22,875.15)	0.00	(77,476.67)	31,737.71	24,893.50
Government Agencies						
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	6.92	0.00	(4,659.33)	361.66	2,100.00
3135G0V75	FANNIE MAE 1.75% 02JUL2024	(61.23)	0.00	(5,392.96)	1,130.21	0.00
3135G0T78	FANNIE MAE 2% 05OCT2022	(44.11)	0.00	(1,405.39)	1,033.34	6,000.00
3135G0V34	FANNIE MAE 2.5% 05FEB2024	(412.87)	0.00	(4,324.29)	1,291.66	0.00
3135G0U43	FANNIE MAE 2.875% 12SEP2023	(998.31)	0.00	(6,857.69)	2,475.69	0.00
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.00	0.00	(5,221.65)	301.39	1,750.00
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.00	0.00	(2,572.81)	322.92	0.00
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23DEC21)	0.00	0.00	(3,404.33)	301.38	0.00
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	(514.29)	0.00	(2,021.36)	2,152.78	0.00
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	(495.35)	0.00	(2,266.50)	2,152.78	0.00
3135G0Q89	FNMA FANNIE MAE 1.375% DUE 10-07-2021 REG 1.375 10-07-2021	7.98	0.00	(244.67)	294.10	7,562.50
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	(937.37)	0.00	(3,474.24)	3,374.48	0.00
Total Government Agencies		(3,448.63)	0.00	(41,845.22)	15,192.39	17,412.50

DETAIL OF RETURN AND INTEREST RECEIVED

For the period October 1, 2021 - October 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Government Bonds						
91282CBA8	USA TREASURY 0.125% 15DEC2023	176.37	0.00	(5,347.78)	98.36	0.00
91282CCC3	USA TREASURY 0.25% 15MAY2024	88.06	0.00	(5,703.12)	210.60	0.00
91282CAW1	USA TREASURY 0.25% 15NOV2023	(4.02)	0.00	(4,062.50)	210.60	0.00
91282CBV2	USA TREASURY 0.375% 15APR2024	(33.70)	0.00	(5,703.13)	318.53	1,875.00
912828YV6	USA TREASURY 1.5% 30NOV2024	(602.34)	0.00	(5,468.75)	889.34	0.00
912828M80	USA TREASURY 2% 30NOV2022	(360.56)	0.00	(1,494.14)	1,270.49	0.00
912828U57	USA TREASURY 2.125% 30NOV2023	(239.24)	0.00	(3,859.38)	1,169.91	0.00
9128282Y5	USA TREASURY 2.125% 30SEP2024	(1,411.08)	0.00	(8,164.06)	1,809.75	0.00
Total Government Bonds		(2,386.51)	0.00	(39,802.86)	5,977.58	1,875.00
Municipal/Provincial Bonds						
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	0.00	0.00	0.00	5,241.00	0.00
Total Municipal/Provincial Bonds		0.00	0.00	0.00	5,241.00	0.00
Grand total		(28,710.29)	0.00	(159,124.75)	58,150.15	44,182.47

TRANSACTION REPORT

For the period October 1, 2021 - October 31, 2021

Trade date Settle date	Cusip	Transaction	Sec type	Description	Maturity	Par value or shares	Realized gain(loss)	Principal	Interest	Transaction total
09/21/2021 09/21/2021	94988J5R4	Capital Change	Corporate Bonds	WELLS FARGO BANK NA 3.55%	08/14/2023	1,000,000.00	156.97	(1,057,861.80)	0.00	(1,057,861.80)
09/21/2021 09/21/2021	94988J5R4	Capital Change	Corporate Bonds	WELLS FARGO BANK NA 3.55%	08/14/2023	(1,000,000.00)	(156.97)	1,057,861.80	0.00	1,057,861.80
10/01/2021 10/01/2021	46647PBB1	Income	Corporate Bonds	JPMORGAN CHASE & CO	04/01/2023	600,000.00	0.00	0.00	9,621.00	9,621.00
10/05/2021 10/05/2021	3135G0T78	Income	Government Agencies	FANNIE MAE 2% 05OCT2022	10/05/2022	600,000.00	0.00	0.00	6,000.00	6,000.00
10/05/2021 10/07/2021	91282CBA8	Bought	Government Bonds	USA TREASURY 0.125%	12/15/2023	1,200,000.00	0.00	(1,194,566.52)	(467.21)	(1,195,033.73)
10/07/2021 10/07/2021	3135G0Q89	Income	Government Agencies	FNMA FANNIE MAE 1.375% DUE	10/07/2021	1,100,000.00	0.00	0.00	7,562.50	7,562.50
10/07/2021 10/07/2021	3135G0Q89	Capital Change	Government Agencies	FNMA FANNIE MAE 1.375% DUE	10/07/2021	(1,100,000.00)	0.00	1,100,000.00	0.00	1,100,000.00
10/11/2021 10/11/2021	931142DH3	Income	Corporate Bonds	WALMART INC 2.55%	04/11/2023	500,000.00	0.00	0.00	6,375.00	6,375.00
10/15/2021 10/15/2021	91282CBV2	Income	Government Bonds	USA TREASURY 0.375%	04/15/2024	1,000,000.00	0.00	0.00	1,875.00	1,875.00
10/22/2021 10/22/2021	3133EMWV0	Income	Government Agencies	FEDERAL FARM CREDIT BANK	04/22/2024	1,000,000.00	0.00	0.00	1,750.00	1,750.00
10/23/2021 10/23/2021	46647PAP1	Income	Corporate Bonds	JPMORGAN CHASE & CO	04/23/2024	500,000.00	0.00	0.00	8,897.50	8,897.50
10/26/2021 10/26/2021	3136G46B4	Income	Government Agencies	FANNIE MAE 0.35% 26APR2024	04/26/2024	1,200,000.00	0.00	0.00	2,100.00	2,100.00
10/31/2021		Income	Cash and Cash Equivalent	Cash		0.00	0.00	0.00	1.47	1.47

ADDITIONAL INFORMATION

As of October 31, 2021

Past performance is not a guide to future performance. The value of investments and any income from them will fluctuate and is not guaranteed (this may partly be due to exchange rate changes) and investors may not get back the amount invested. Transactions in foreign securities may be executed and settled in local markets. Performance comparisons will be affected by changes in interest rates. Investment returns fluctuate due to changes in market conditions. Investment involves risk, including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. The information contained herein is for your reference only and is being provided in response to your specific request and has been obtained from sources believed to be reliable; however, no representation is made regarding its accuracy or completeness. This document must not be used for the purpose of an offer or solicitation in any jurisdiction or in any circumstances in which such offer or solicitation is unlawful or otherwise not permitted. This document should not be duplicated, amended, or forwarded to a third party without consent from Insight. This is a marketing document intended for professional clients only and should not be made available to or relied upon by retail clients.

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Where indicated, performance numbers used in the analysis are gross returns. The performance reflects the reinvestment of all dividends and income. INA charges management fees on all portfolios managed and these fees will reduce the returns on the portfolios. For example, assume that \$30 million is invested in an account with INA, and this account achieves a 5.0% annual return compounded monthly, gross of fees, for a period of five years. At the end of five years that account would have grown to \$38,500,760 before the deduction of management fees. Assuming management fees of 0.25% per year are deducted monthly from the account, the value at the end of the five year period would be \$38,022,447. Actual fees for new accounts are dependent on size and subject to negotiation. INA's investment advisory fees are discussed in Part 2A of its Form ADV.

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For trading activity the Clearing broker will be reflected. In certain cases the Clearing broker will differ from the Executing broker.

In calculating ratings distributions and weighted average portfolio quality, Insight assigns U.S Treasury and U.S agency securities a quality rating based on the methodology used within the respective benchmark index. When Moody's, S&P and Fitch rate a security, Bank of America and Merrill Lynch indexes assign a simple weighted average statistic while Barclays indexes assign the median statistic. Insight assigns all other securities the lower of Moody's and S&P ratings.

Information about the indices shown here is provided to allow for comparison of the performance of the strategy to that of certain well-known and widely recognized indices. There is no representation that such index is an appropriate benchmark for such comparison. You cannot invest directly in an index and the indices represented do not take into account trading commissions and/or other brokerage or custodial costs. The volatility of the indices may be materially different from that of the strategy. In addition, the strategy's holdings may differ substantially from the securities that comprise the indices shown.

The ICE BofA 3 Month US T-Bill index is an unmanaged market index of U.S. Treasury securities maturing in 90 days that assumes reinvestment of all income.

The ICE BofA 6 Month US T-Bill index measures the performance of Treasury bills with time to maturity of less than 6 months.

The ICE BofA 1-Year US Treasury Index is a one-security index comprised of the most recently issued 1-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 1-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 3-Year US Treasury Index is a one-security index comprised of the most recently issued 3-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 3-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 5-Year US Treasury Index is a one-security index comprised of the most recently issued 5-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 5-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 1-3 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than three years.

The ICE BofA 1-5 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than five years.

ADDITIONAL INFORMATION

As of October 31, 2021

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SAN RAFAEL

November 2021

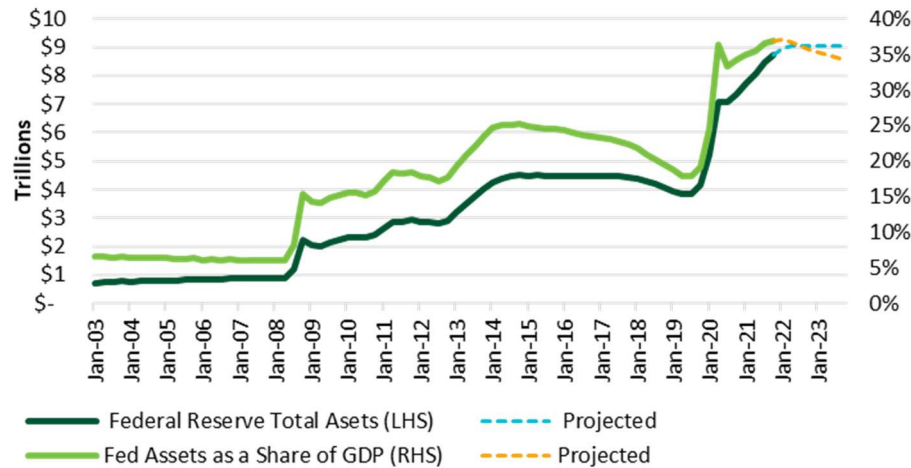


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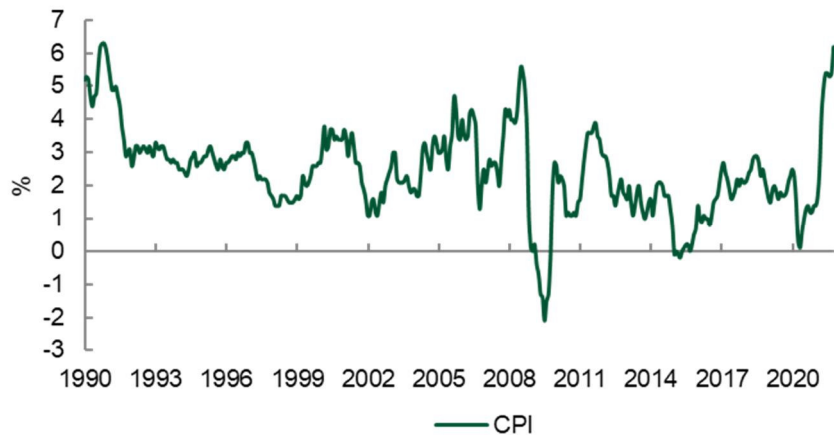
As of November 30, 2021

Chart 1: The Fed's balance sheet is set to stop expanding



Source: Bloomberg, November 30, 2021

Chart 2: CPI reaches the highest levels since the early nineties



Source: Bloomberg, November 30, 2021

Economic Indicators and Monetary Policy

The Fed announced it will reduce its monthly purchases by \$15bn a month in total (\$10bn of which will be reduced Treasury purchases and the other \$5bn in agency mortgage-backed securities). This puts it on schedule to finish tapering and cease expanding its balance sheet in June 2022 (Chart 1). This timeline will be subject to change 'as conditions warrant'. President Biden announced Chair Powell's re-nomination, amid speculation that Governor Lael Brainard (considered relatively dovish) would be picked.

The CPI report was another upside surprise, with headline at 6.2% and core of 4.6%, both at their highest levels since the early nineties. Energy prices rose 4.8%, largely driven by natural gas and oil shortages in Europe, which is pushing up global demand. Supply chain issues are now showing some signs of easing in some of the most impacted consumer sectors. For example, appliance prices fell 0.1%, and furniture prices rose only a modest 0.3%. Rents and owners' equivalent rents both rose 0.4% in October, or 2.7% and 3.1% respectively year-on-year.

The US economy added 531,000 jobs in October, slightly stronger than the 450,000 expected. The prior two months were revised up by 235,000. Government education jobs disappointed (on a seasonally-adjusted basis) as private payrolls rose 604,000. The unemployment rate fell from 4.76% to 4.59%, below consensus for 4.7%.

President Biden signed into law a bipartisan infrastructure bill which provides for \$1.2trn of spending over the next five years.

Towards the end of the month, market volatility increased following the spread of a new Covid-19 variant with potentially greater transmissibility than previous variants. A number of countries enacted precautionary travel bans as a result.

Interest Rate Summary

Yields rose sharply at shorter maturities, although longer-dated yields remained anchored. At the end of November, the 3-month US Treasury bill yielded 0.05%, the 6-month US Treasury bill yielded 0.10%, the 2-year US Treasury note yielded 0.52%, the 5-year US Treasury note yielded 1.15% and the 10-year US Treasury note yielded 1.45%.

ACTIVITY AND PERFORMANCE SUMMARY

For the period November 1, 2021 - November 30, 2021

<u>Amortized Cost Basis Activity Summary</u>		
Opening balance		33,303,017.91
Income received	67,031.64	
Total receipts		67,031.64
Expenses paid	(201.07)	
Total disbursements		(201.07)
Interportfolio transfers	0.00	
Total Interportfolio transfers		0.00
Realized gain (loss)		0.00
Change in accruals from security movement		0.00
Total amortization expense		(29,251.27)
Total OID/MKT accretion income		319.91
Return of capital		0.00
Closing balance		33,340,917.12
Ending fair value		33,309,481.21
Unrealized gain (loss)		(31,435.91)

<u>Detail of Amortized Cost Basis Return</u>				
	Interest earned	Accretion (amortization)	Realized gain (loss)	Total income
Cash and Cash Equivalents	0.39	0.00	0.00	0.39
Corporate Bonds	29,690.12	(23,133.84)	0.00	6,556.28
Government Agencies	13,937.13	(3,520.80)	0.00	10,416.33
Government Bonds	5,816.72	(2,276.72)	0.00	3,540.00
Municipal/Provincial Bonds	4,902.87	0.00	0.00	4,902.87
Total	54,347.23	(28,931.36)	0.00	25,415.87

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.05	0.02	0.00
Merrill Lynch 3m US Treas Bill	0.03	0.02	0.00
Merrill Lynch 6m US Treas Bill	0.04	0.02	0.00
ML 1 Year US Treasury Note	0.09	0.05	0.01
ML 2 Year US Treasury Note	0.22	0.15	0.04
ML 5 Year US Treasury Note	0.79	0.46	0.10

* rates reflected are cumulative

<u>Summary of Amortized Cost Basis Return for the Period</u>	
	Total portfolio
Interest earned	54,347.23
Accretion (amortization)	(28,931.36)
Realized gain (loss) on sales	0.00
Total income on portfolio	25,415.87
Average daily amortized cost	33,313,088.46
Period return (%)	0.08
YTD return (%)	1.25
Weighted average final maturity in days	781

ACTIVITY AND PERFORMANCE SUMMARY

For the period November 1, 2021 - November 30, 2021

<u>Fair Value Basis Activity Summary</u>		
Opening balance		33,330,003.08
Income received	67,031.64	
Total receipts		67,031.64
Expenses paid	(201.07)	
Total disbursements		(201.07)
Interportfolio transfers	0.00	
Total Interportfolio transfers		0.00
Unrealized gain (loss) on security movements		0.00
Change in accruals from security movement		0.00
Return of capital		0.00
Change in fair value for the period		(87,352.44)
Ending fair value		33,309,481.21

<u>Detail of Fair Value Basis Return</u>			
	Interest earned	Change in fair value	Total income
Cash and Cash Equivalents	0.39	0.00	0.39
Corporate Bonds	29,690.12	(55,710.28)	(26,020.16)
Government Agencies	13,937.13	(23,325.78)	(9,388.65)
Government Bonds	5,816.72	(8,316.38)	(2,499.66)
Municipal/Provincial Bonds	4,902.87	0.00	4,902.87
Total	54,347.23	(87,352.44)	(33,005.21)

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.05	0.02	0.00
ICE Bofa 3 Months US T-BILL	0.05	0.01	0.01
ICE Bofa 6m US Treas Bill	0.09	0.02	0.00
ICE Bofa 1 Yr US Treasury Note	0.04	(0.07)	(0.05)
ICE BofA US Treasury 1-3	(0.26)	(0.38)	0.02
ICE BofA US Treasury 1-5	(0.75)	(0.63)	0.05

* rates reflected are cumulative

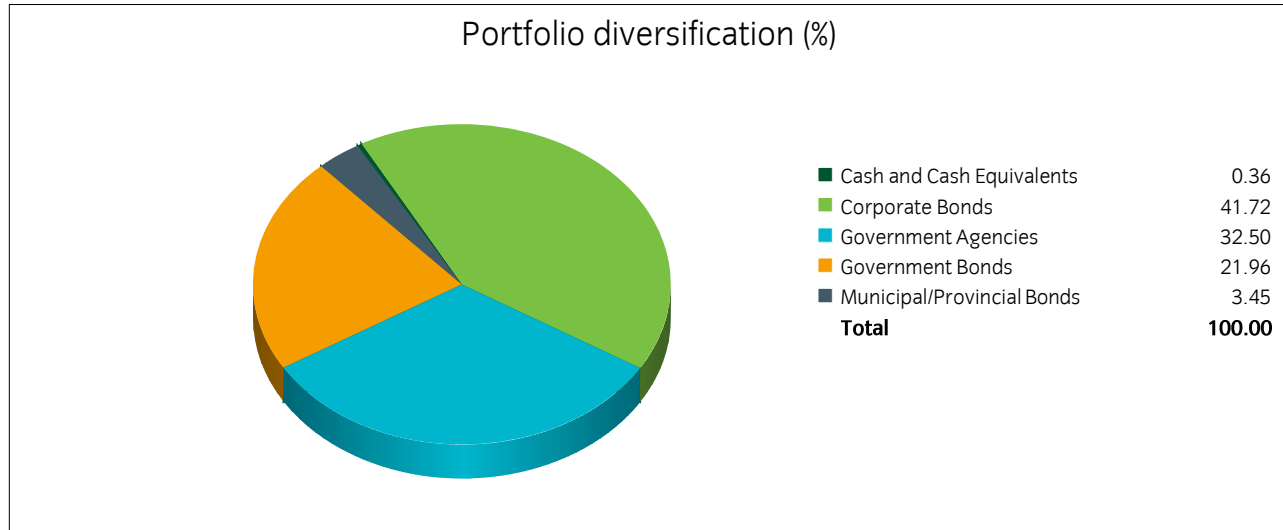
<u>Summary of Fair Value Basis Return for the Period</u>		Total portfolio
Interest earned		54,347.23
Change in fair value		(87,352.44)
Total income on portfolio		(33,005.21)
Average daily total value *		33,485,117.86
Period return (%)		(0.10)
YTD return (%)		(0.21)
Weighted average final maturity in days		781

* Total value equals market value and accrued interest

RECAP OF SECURITIES HELD

As of November 30, 2021

	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Weighted average final maturity (days)	Percent of portfolio	Weighted average effective duration (years)
Cash and Cash Equivalents	122,676.20	122,676.20	122,676.20	0.00	1	0.36	0.00
Corporate Bonds	14,040,447.40	13,843,525.99	13,785,720.07	(57,805.92)	669	41.72	1.59
Government Agencies	10,937,863.07	10,843,694.68	10,893,095.48	49,400.80	578	32.50	1.37
Government Bonds	7,391,032.27	7,371,720.25	7,348,689.46	(23,030.79)	813	21.96	2.20
Municipal/Provincial Bonds	1,159,300.00	1,159,300.00	1,159,300.00	0.00	3,929	3.45	8.27
Total	33,651,318.94	33,340,917.12	33,309,481.21	(31,435.91)	781	100.00	1.88

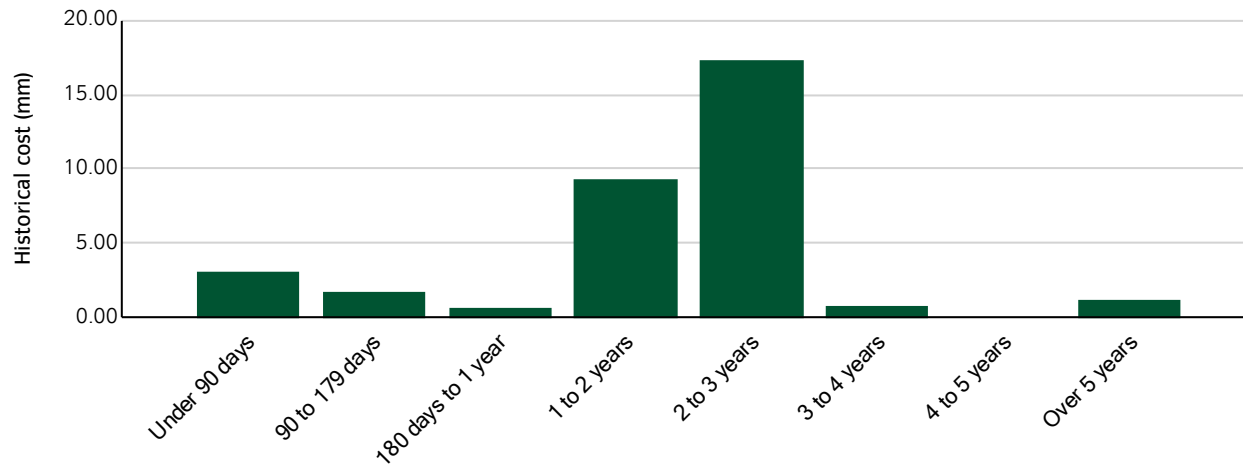


MATURITY DISTRIBUTION OF SECURITIES HELD

As of November 30, 2021

Maturity	Historic cost	Percent
Under 90 days	3,017,156.50	8.97
90 to 179 days	1,631,906.00	4.85
180 days to 1 year	601,716.00	1.79
1 to 2 years	9,275,440.59	27.56
2 to 3 years	17,242,910.79	51.24
3 to 4 years	722,889.06	2.15
4 to 5 years	0.00	0.00
Over 5 years	1,159,300.00	3.45
	33,651,318.94	100.00

Maturity distribution



SECURITIES HELD

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Cash and Cash Equivalents										
	Cash and Cash Equivalents	0.000		122,676.20	122,676.20	122,676.20	122,676.20	0.00	0.00	0.36
Total Cash and Cash Equivalents				122,676.20	122,676.20	122,676.20	122,676.20	0.00	0.00	0.36
Corporate Bonds										
717081DZ3	PFIZER INC 2.2% 15DEC2021	2.200	12/15/2021	500,000.00	503,615.00	500,075.42	500,342.16	266.74	5,041.67	1.50
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	2.700	03/03/2022 01/31/2022	700,000.00	714,231.00	702,798.76	702,660.34	(138.42)	4,567.50	2.12
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	3.207	04/01/2023 04/01/2022	600,000.00	615,576.00	605,728.56	605,173.86	(554.70)	3,153.55	1.83
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	2.550	04/11/2023 01/11/2023	500,000.00	509,155.00	503,072.10	510,890.45	7,818.35	1,735.42	1.51
037833AK6	APPLE INC 2.4% 03MAY2023	2.400	05/03/2023	500,000.00	506,880.00	502,700.41	512,025.38	9,324.97	900.00	1.51
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	1.950	05/10/2023	1,000,000.00	1,031,510.00	1,022,507.14	1,016,576.66	(5,930.48)	1,083.33	3.07
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	1.350	08/25/2023	700,000.00	714,959.00	711,064.35	706,890.11	(4,174.24)	2,493.75	2.12
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	3.750	11/24/2023	1,000,000.00	1,086,390.00	1,066,900.72	1,055,911.82	(10,988.90)	625.00	3.23
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	3.004	12/20/2023 12/20/2022	500,000.00	525,795.00	512,470.87	511,264.96	(1,205.91)	6,675.56	1.56
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	0.450	01/11/2024	480,000.00	479,342.40	479,396.34	475,248.69	(4,147.65)	834.00	1.42

SECURITIES HELD

As of November 30, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	0.450	01/17/2024	1,000,000.00	1,001,230.00	1,000,967.60	991,524.93	(9,442.67)	1,662.50	2.98
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	3.650	01/23/2024 12/23/2023	500,000.00	541,470.00	532,883.90	527,768.05	(5,115.85)	6,438.19	1.61
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	3.500	01/23/2024 12/24/2023	900,000.00	957,939.00	937,915.54	945,275.54	7,360.00	11,112.50	2.85
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	3.375	02/05/2024 01/05/2024	1,000,000.00	1,079,130.00	1,061,845.91	1,050,360.32	(11,485.59)	10,781.25	3.21
459200HU8	IBM CORP 3.625% 12FEB2024	3.625	02/12/2024	1,000,000.00	1,086,900.00	1,068,824.80	1,057,026.13	(11,798.67)	10,875.00	3.23
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	3.250	02/14/2024 01/14/2024	500,000.00	541,935.00	530,425.77	524,886.15	(5,539.62)	4,784.72	1.61
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	3.600	03/01/2024 12/01/2023	500,000.00	537,465.00	530,660.91	527,771.34	(2,889.57)	4,450.00	1.60
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	3.550	03/05/2024 03/05/2023	500,000.00	535,525.00	517,032.53	516,402.70	(629.83)	4,190.97	1.59
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	3.559	04/23/2024 04/23/2023	500,000.00	534,240.00	521,745.86	518,406.02	(3,339.84)	1,828.93	1.59
717081DM2	PFIZER INC 3.4% 15MAY2024	3.400	05/15/2024	500,000.00	537,160.00	534,508.50	529,314.46	(5,194.04)	708.33	1.60
Total Corporate Bonds				13,380,000.00	14,040,447.40	13,843,525.99	13,785,720.07	(57,805.92)	83,942.17	41.72
Government Agencies										
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	2.375	01/13/2022	1,650,000.00	1,676,634.30	1,651,389.90	1,654,413.11	3,023.21	14,913.02	4.98

SECURITIES HELD

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	2.500	03/11/2022	1,000,000.00	1,016,330.00	1,001,667.67	1,006,829.04	5,161.37	5,486.11	3.02
3135G0T78	FANNIE MAE 2% 05OCT2022	2.000	10/05/2022	600,000.00	601,716.00	600,448.48	608,874.71	8,426.23	1,833.33	1.79
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	2.500	12/09/2022	1,000,000.00	1,021,240.00	1,006,325.71	1,022,228.97	15,903.26	11,875.00	3.03
3135G0U43	FANNIE MAE 2.875% 12SEP2023	2.875	09/12/2023	1,000,000.00	1,047,553.22	1,021,364.01	1,041,695.03	20,331.02	6,229.17	3.11
3135G0V34	FANNIE MAE 2.5% 05FEB2024	2.500	02/05/2024	600,000.00	621,262.80	610,803.43	624,600.68	13,797.25	4,791.67	1.85
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.350	04/22/2024	1,000,000.00	1,000,000.00	1,000,000.00	990,395.03	(9,604.97)	369.44	2.97
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23DEC21)	0.350	04/23/2024 12/23/2021	1,000,000.00	1,000,000.00	1,000,000.00	994,071.54	(5,928.46)	1,526.39	2.97
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	0.350	04/26/2024 01/26/2022	1,200,000.00	1,199,700.00	1,199,793.32	1,190,414.21	(9,379.11)	396.67	3.57
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.375	05/06/2024 05/06/2022	1,000,000.00	1,000,000.00	1,000,000.00	990,701.51	(9,298.49)	250.00	2.97
3135G0V75	FANNIE MAE 1.75% 02JUL2024	1.750	07/02/2024	750,000.00	753,426.75	751,902.16	768,871.65	16,969.49	5,395.83	2.24
Total Government Agencies				10,800,000.00	10,937,863.07	10,843,694.68	10,893,095.48	49,400.80	53,066.63	32.50
Government Bonds										
912828M80	USA TREASURY 2% 30NOV2022	2.000	11/30/2022	750,000.00	762,072.83	754,245.26	762,949.22	8,703.96	0.00	2.26

SECURITIES HELD

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
91282CAW1	USA TREASURY 0.25% 15NOV2023	0.250	11/15/2023	1,000,000.00	1,000,120.54	1,000,092.77	994,140.62	(5,952.15)	103.59	2.97
912828U57	USA TREASURY 2.125% 30NOV2023	2.125	11/30/2023	650,000.00	661,529.52	655,633.57	670,236.33	14,602.76	0.00	1.97
91282CBA8	USA TREASURY 0.125% 15DEC2023	0.125	12/15/2023	1,200,000.00	1,194,566.52	1,194,946.39	1,188,890.63	(6,055.76)	688.53	3.55
91282CBV2	USA TREASURY 0.375% 15APR2024	0.375	04/15/2024	1,000,000.00	1,001,175.22	1,000,942.57	992,773.44	(8,169.13)	473.90	2.98
91282CCC3	USA TREASURY 0.25% 15MAY2024	0.250	05/15/2024	1,000,000.00	996,878.35	997,452.12	988,867.19	(8,584.93)	103.59	2.96
9128282Y5	USA TREASURY 2.125% 30SEP2024	2.125	09/30/2024	1,000,000.00	1,051,800.23	1,047,111.81	1,037,187.50	(9,924.31)	3,561.13	3.13
912828YV6	USA TREASURY 1.5% 30NOV2024	1.500	11/30/2024	700,000.00	722,889.06	721,295.76	713,644.53	(7,651.23)	0.00	2.15
Total Government Bonds				7,300,000.00	7,391,032.27	7,371,720.25	7,348,689.46	(23,030.79)	4,930.74	21.96
Municipal/Provincial Bonds										
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	5.250	09/02/2032	1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	14,877.68	3.45
Total Municipal/Provincial Bonds				1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	14,877.68	3.45
Grand total				32,761,976.20	33,651,318.94	33,340,917.12	33,309,481.21	(31,435.91)	156,817.22	100.00

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of November 30, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
United States Treasury Note/Bond												
912828M80	USA TREASURY 2%	2.000	11/30/2022		AA+	Aaa	750,000.00	762,072.83	2.26	762,949.22	2.29	0.99
91282CAW1	USA TREASURY 0.25%	0.250	11/15/2023		AA+	Aaa	1,000,000.00	1,000,120.54	2.97	994,140.62	2.98	1.95
912828U57	USA TREASURY 2.125%	2.125	11/30/2023		AA+	Aaa	650,000.00	661,529.52	1.97	670,236.33	2.01	1.96
91282CBA8	USA TREASURY 0.125%	0.125	12/15/2023		AA+	Aaa	1,200,000.00	1,194,566.52	3.55	1,188,890.63	3.57	2.03
91282CBV2	USA TREASURY 0.375%	0.375	04/15/2024		AA+	Aaa	1,000,000.00	1,001,175.22	2.98	992,773.44	2.98	2.36
91282CCC3	USA TREASURY 0.25%	0.250	05/15/2024		AA+	Aaa	1,000,000.00	996,878.35	2.96	988,867.19	2.97	2.45
9128282Y5	USA TREASURY 2.125%	2.125	09/30/2024		AA+	Aaa	1,000,000.00	1,051,800.23	3.13	1,037,187.50	3.11	2.75
912828YV6	USA TREASURY 1.5%	1.500	11/30/2024		AA+	Aaa	700,000.00	722,889.06	2.15	713,644.53	2.14	2.94
Issuer total							7,300,000.00	7,391,032.27	21.96	7,348,689.46	22.06	2.20
Federal National Mortgage Association												
3135G0T78	FANNIE MAE 2%	2.000	10/05/2022		AA+	Aaa	600,000.00	601,716.00	1.79	608,874.71	1.83	0.84
3135G0U43	FANNIE MAE 2.875%	2.875	09/12/2023		AA+	Aaa	1,000,000.00	1,047,553.22	3.11	1,041,695.03	3.13	1.74
3135G0V34	FANNIE MAE 2.5%	2.500	02/05/2024		AA+	Aaa	600,000.00	621,262.80	1.85	624,600.68	1.88	2.12
3136G46B4	FANNIE MAE 0.35%	0.350	04/26/2024	01/26/2022	AA+	Aaa	1,200,000.00	1,199,700.00	3.57	1,190,414.21	3.57	1.69
3135G0V75	FANNIE MAE 1.75%	1.750	07/02/2024		AA+	Aaa	750,000.00	753,426.75	2.24	768,871.65	2.31	2.52
Issuer total							4,150,000.00	4,223,658.77	12.55	4,234,456.28	12.71	1.79
Federal Home Loan Banks												
313378WG2	FEDERAL HOME LOAN	2.500	03/11/2022		AA+	Aaa	1,000,000.00	1,016,330.00	3.02	1,006,829.04	3.02	0.28
3130A3KM5	FEDERAL HOME LOAN	2.500	12/09/2022		AA+	Aaa	1,000,000.00	1,021,240.00	3.03	1,022,228.97	3.07	1.00
3130AMQQ	FEDERAL HOME LOAN	0.350	04/23/2024	12/23/2021	AA+	Aaa	1,000,000.00	1,000,000.00	2.97	994,071.54	2.98	1.63
Issuer total							3,000,000.00	3,037,570.00	9.03	3,023,129.55	9.08	0.97
Federal Farm Credit Banks Funding Corp												
3133EMWV	FEDERAL FARM CREDIT	0.350	04/22/2024		AA+	Aaa	1,000,000.00	1,000,000.00	2.97	990,395.03	2.97	2.38

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Federal Farm Credit Banks Funding Corp												
3133EMYR7	FEDERAL FARM CREDIT	0.375	05/06/2024	05/06/2022	AA+	Aaa	1,000,000.00	1,000,000.00	2.97	990,701.51	2.97	1.85
Issuer total							2,000,000.00	2,000,000.00	5.94	1,981,096.54	5.95	2.12
Federal Home Loan Mortgage Corp												
3137EADB2	FREDDIE MAC 2.375%	2.375	01/13/2022		AA+	Aaa	1,650,000.00	1,676,634.30	4.98	1,654,413.11	4.97	0.12
Issuer total							1,650,000.00	1,676,634.30	4.98	1,654,413.11	4.97	0.12
Toyota Motor Credit Corp												
89236THA6	TOYOTA MOTOR CREDIT	1.350	08/25/2023		A+	A1	700,000.00	714,959.00	2.12	706,890.11	2.12	1.71
89236THU2	TOYOTA MOTOR CREDIT	0.450	01/11/2024		A+	A1	480,000.00	479,342.40	1.42	475,248.69	1.43	2.10
Issuer total							1,180,000.00	1,194,301.40	3.55	1,182,138.80	3.55	1.87
PT. SAN ASSESS DISTRICT												
888599LS4	PT. SAN ASSESS	5.250	09/02/2032		NR	NR	1,159,300.00	1,159,300.00	3.45	1,159,300.00	3.48	8.27
Issuer total							1,159,300.00	1,159,300.00	3.45	1,159,300.00	3.48	8.27
JPMorgan Chase & Co												
46647PBB1	JPMORGAN CHASE & CO	3.207	04/01/2023	04/01/2022	A-	A2	600,000.00	615,576.00	1.83	605,173.86	1.82	0.33
46647PAP1	JPMORGAN CHASE & CO	3.559	04/23/2024	04/23/2023	A-	A2	500,000.00	534,240.00	1.59	518,406.02	1.56	1.36
Issuer total							1,100,000.00	1,149,816.00	3.42	1,123,579.88	3.37	0.81
International Business Machines Corp												
459200HU8	IBM CORP 3.625%	3.625	02/12/2024		A-	A3	1,000,000.00	1,086,900.00	3.23	1,057,026.13	3.17	2.11
Issuer total							1,000,000.00	1,086,900.00	3.23	1,057,026.13	3.17	2.11
Caterpillar Financial Services Corp												
14912L5X5	CATERPILLAR FINANCIAL	3.750	11/24/2023		A	A2	1,000,000.00	1,086,390.00	3.23	1,055,911.82	3.17	1.92
Issuer total							1,000,000.00	1,086,390.00	3.23	1,055,911.82	3.17	1.92

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
US Bancorp												
91159HHV5	US BANCORP 3.375%	3.375	02/05/2024	01/05/2024	A+	A2	1,000,000.00	1,079,130.00	3.21	1,050,360.32	3.15	2.03
Issuer total							1,000,000.00	1,079,130.00	3.21	1,050,360.32	3.15	2.03
Pfizer Inc												
717081DZ3	PFIZER INC 2.2%	2.200	12/15/2021		A+	A2	500,000.00	503,615.00	1.50	500,342.16	1.50	0.04
717081DM2	PFIZER INC 3.4%	3.400	05/15/2024		A+	A2	500,000.00	537,160.00	1.60	529,314.46	1.59	2.37
Issuer total							1,000,000.00	1,040,775.00	3.09	1,029,656.62	3.09	1.24
Bank of America Corp												
06051GHC6	BANK OF AMERICA CORP	3.004	12/20/2023	12/20/2022	A-	A2	500,000.00	525,795.00	1.56	511,264.96	1.53	1.03
06051GHF9	BANK OF AMERICA CORP	3.550	03/05/2024	03/05/2023	A-	A2	500,000.00	535,525.00	1.59	516,402.70	1.55	1.23
Issuer total							1,000,000.00	1,061,320.00	3.15	1,027,667.66	3.09	1.13
American Honda Finance Corp												
02665WDH1	AMERICAN HONDA	1.950	05/10/2023		A-	A3	1,000,000.00	1,031,510.00	3.07	1,016,576.66	3.05	1.42
Issuer total							1,000,000.00	1,031,510.00	3.07	1,016,576.66	3.05	1.42
John Deere Capital Corp												
24422EVN6	JOHN DEERE CAPITAL	0.450	01/17/2024		A	A2	1,000,000.00	1,001,230.00	2.98	991,524.93	2.98	2.11
Issuer total							1,000,000.00	1,001,230.00	2.98	991,524.93	2.98	2.11
PNC Financial Services Group Inc/The												
693475AV7	PNC FINANCIAL	3.500	01/23/2024	12/24/2023	A-	A3	900,000.00	957,939.00	2.85	945,275.54	2.84	1.99
Issuer total							900,000.00	957,939.00	2.85	945,275.54	2.84	1.99
American Express Credit Corp												
0258M0EG0	AMERICAN EXPRESS	2.700	03/03/2022	01/31/2022	A-	A2	700,000.00	714,231.00	2.12	702,660.34	2.11	0.17
Issuer total							700,000.00	714,231.00	2.12	702,660.34	2.11	0.17

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of November 30, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
PepsiCo Inc												
713448CM8	PEPSICO INC 3.6%	3.600	03/01/2024	12/01/2023	A+	A1	500,000.00	537,465.00	1.60	527,771.34	1.58	1.97
Issuer total							500,000.00	537,465.00	1.60	527,771.34	1.58	1.97
Citibank NA												
17325FA57	CITIBANK NA 3.65%	3.650	01/23/2024	12/23/2023	A+	Aa3	500,000.00	541,470.00	1.61	527,768.05	1.58	1.99
Issuer total							500,000.00	541,470.00	1.61	527,768.05	1.58	1.99
3M Co												
88579YBB6	3M COMPANY 3.25%	3.250	02/14/2024	01/14/2024	A+	A1	500,000.00	541,935.00	1.61	524,886.15	1.58	2.06
Issuer total							500,000.00	541,935.00	1.61	524,886.15	1.58	2.06
Apple Inc												
037833AK6	APPLE INC 2.4%	2.400	05/03/2023		AA+	Aa1	500,000.00	506,880.00	1.51	512,025.38	1.54	1.40
Issuer total							500,000.00	506,880.00	1.51	512,025.38	1.54	1.40
Walmart Inc												
931142DH3	WALMART INC 2.55%	2.550	04/11/2023	01/11/2023	AA	Aa2	500,000.00	509,155.00	1.51	510,890.45	1.53	1.12
Issuer total							500,000.00	509,155.00	1.51	510,890.45	1.53	1.12
Cash and Cash Equivalents												
	INVESTED CASH	0.000					122,676.20	122,676.20	0.00	122,676.20	0.37	0.00
Issuer total							122,676.20	122,676.20	0.00	122,676.20	0.37	0.00
Grand total							32,761,976.20	33,651,318.94	100.00	33,309,481.21	100.00	1.88

DETAIL OF RETURN AND INTEREST RECEIVED

For the period November 1, 2021 - November 30, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Cash						
	Cash and Cash Equivalents	0.00	0.00	0.00	0.39	0.39
Total Cash		0.00	0.00	0.00	0.39	0.39
Corporate Bonds						
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	(1,194.73)	0.00	(1,840.60)	1,309.03	0.00
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	(1,470.54)	0.00	(1,450.06)	1,522.50	0.00
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	(1,298.49)	0.00	(3,969.78)	1,570.83	9,750.00
037833AK6	APPLE INC 2.4% 03MAY2023	(157.92)	0.00	(1,999.41)	966.67	6,000.00
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	(984.54)	0.00	(1,824.21)	1,209.95	0.00
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	(1,123.03)	0.00	(2,191.38)	1,429.86	0.00
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	(2,810.95)	0.00	(8,322.57)	3,020.83	18,750.00
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	(1,327.74)	0.00	(1,920.02)	1,470.13	0.00
459200HU8	IBM CORP 3.625% 12FEB2024	(2,607.00)	0.00	(4,668.62)	2,920.14	0.00
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	(37.85)	0.00	(3,125.49)	362.50	0.00
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	(1,420.30)	0.00	(1,437.68)	1,550.05	0.00
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	(1,296.97)	0.00	(1,981.75)	1,433.49	0.00
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	(1,275.77)	0.00	(1,758.10)	1,450.00	0.00
717081DZ3	PFIZER INC 2.2% 15DEC2021	(150.83)	0.00	(836.97)	886.11	0.00
717081DM2	PFIZER INC 3.4% 15MAY2024	(1,169.78)	0.00	(2,984.95)	1,369.44	8,500.00
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	(1,530.91)	0.00	(4,849.29)	2,537.50	0.00
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	23.80	0.00	(1,143.40)	174.00	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period November 1, 2021 - November 30, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Corporate Bonds						
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	(531.09)	0.00	(2,233.21)	761.25	0.00
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	(2,539.37)	0.00	(4,803.72)	2,718.75	0.00
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	(229.83)	0.00	(2,369.07)	1,027.09	0.00
Total Corporate Bonds		(23,133.84)	0.00	(55,710.28)	29,690.12	43,000.00
Government Agencies						
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	7.40	0.00	(1,432.95)	338.34	0.00
3135G0V75	FANNIE MAE 1.75% 02JUL2024	(61.23)	0.00	(2,020.97)	1,057.29	0.00
3135G0T78	FANNIE MAE 2% 05OCT2022	(44.12)	0.00	(1,298.10)	966.66	0.00
3135G0V34	FANNIE MAE 2.5% 05FEB2024	(412.87)	0.00	(1,245.40)	1,208.34	0.00
3135G0U43	FANNIE MAE 2.875% 12SEP2023	(998.32)	0.00	(2,155.84)	2,315.98	0.00
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.00	0.00	(1,322.10)	281.94	0.00
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.00	0.00	(4,739.91)	302.08	1,875.00
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23DEC21)	0.00	0.00	(1,186.18)	281.95	0.00
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	(514.29)	0.00	(3,199.97)	2,013.89	0.00
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	(495.35)	0.00	(1,820.71)	2,013.89	0.00
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	(1,002.02)	0.00	(2,903.65)	3,156.77	0.00
Total Government Agencies		(3,520.80)	0.00	(23,325.78)	13,937.13	1,875.00
Government Bonds						
91282CBA8	USA TREASURY 0.125% 15DEC2023	203.50	0.00	(328.11)	122.96	0.00
91282CCC3	USA TREASURY 0.25% 15MAY2024	85.21	0.00	(625.00)	205.49	1,250.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period November 1, 2021 - November 30, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Government Bonds						
91282CAW1	USA TREASURY 0.25% 15NOV2023	(3.90)	0.00	(390.63)	205.49	1,250.00
91282CBV2	USA TREASURY 0.375% 15APR2024	(32.61)	0.00	(390.62)	309.06	0.00
912828YV6	USA TREASURY 1.5% 30NOV2024	(582.92)	0.00	(1,367.19)	860.66	5,250.00
912828M80	USA TREASURY 2% 30NOV2022	(348.93)	0.00	(1,845.70)	1,229.51	7,500.00
912828U57	USA TREASURY 2.125% 30NOV2023	(231.51)	0.00	(1,142.57)	1,132.17	6,906.25
9128282Y5	USA TREASURY 2.125% 30SEP2024	(1,365.56)	0.00	(2,226.56)	1,751.38	0.00
Total Government Bonds		(2,276.72)	0.00	(8,316.38)	5,816.72	22,156.25
Municipal/Provincial Bonds						
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	0.00	0.00	0.00	4,902.87	0.00
Total Municipal/Provincial Bonds		0.00	0.00	0.00	4,902.87	0.00
Grand total		(28,931.36)	0.00	(87,352.44)	54,347.23	67,031.64

TRANSACTION REPORT

For the period November 1, 2021 - November 30, 2021

Trade date Settle date	Cusip	Transaction	Sec type	Description	Maturity	Par value or shares	Realized gain(loss)	Principal	Interest	Transaction total
11/03/2021 11/03/2021	037833AK6	Income	Corporate Bonds	APPLE INC 2.4% 03MAY2023	05/03/2023	500,000.00	0.00	0.00	6,000.00	6,000.00
11/06/2021 11/06/2021	3133EM7R7	Income	Government Agencies	FEDERAL FARM CREDIT BANK	05/06/2024	1,000,000.00	0.00	0.00	1,875.00	1,875.00
11/10/2021 11/10/2021	02665WDH1	Income	Corporate Bonds	AMERICAN HONDA FINANCE	05/10/2023	1,000,000.00	0.00	0.00	9,750.00	9,750.00
11/15/2021 11/15/2021	717081DM2	Income	Corporate Bonds	PFIZER INC 3.4% 15MAY2024	05/15/2024	500,000.00	0.00	0.00	8,500.00	8,500.00
11/15/2021 11/15/2021	91282CAW1	Income	Government Bonds	USA TREASURY 0.25%	11/15/2023	1,000,000.00	0.00	0.00	1,250.00	1,250.00
11/15/2021 11/15/2021	91282CCC3	Income	Government Bonds	USA TREASURY 0.25%	05/15/2024	1,000,000.00	0.00	0.00	1,250.00	1,250.00
11/24/2021 11/24/2021	14912L5X5	Income	Corporate Bonds	CATERPILLAR FINANCIAL SE	11/24/2023	1,000,000.00	0.00	0.00	18,750.00	18,750.00
11/30/2021 11/30/2021	912828M80	Income	Government Bonds	USA TREASURY 2% 30NOV2022	11/30/2022	750,000.00	0.00	0.00	7,500.00	7,500.00
11/30/2021 11/30/2021	912828U57	Income	Government Bonds	USA TREASURY 2.125%	11/30/2023	650,000.00	0.00	0.00	6,906.25	6,906.25
11/30/2021 11/30/2021	912828YV6	Income	Government Bonds	USA TREASURY 1.5%	11/30/2024	700,000.00	0.00	0.00	5,250.00	5,250.00
11/30/2021		Income	Cash and Cash Equivalent	Cash		0.00	0.00	0.00	0.39	0.39

ADDITIONAL INFORMATION

As of November 30, 2021

Past performance is not a guide to future performance. The value of investments and any income from them will fluctuate and is not guaranteed (this may partly be due to exchange rate changes) and investors may not get back the amount invested. Transactions in foreign securities may be executed and settled in local markets. Performance comparisons will be affected by changes in interest rates. Investment returns fluctuate due to changes in market conditions. Investment involves risk, including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. The information contained herein is for your reference only and is being provided in response to your specific request and has been obtained from sources believed to be reliable; however, no representation is made regarding its accuracy or completeness. This document must not be used for the purpose of an offer or solicitation in any jurisdiction or in any circumstances in which such offer or solicitation is unlawful or otherwise not permitted. This document should not be duplicated, amended, or forwarded to a third party without consent from Insight. This is a marketing document intended for professional clients only and should not be made available to or relied upon by retail clients.

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Where indicated, performance numbers used in the analysis are gross returns. The performance reflects the reinvestment of all dividends and income. INA charges management fees on all portfolios managed and these fees will reduce the returns on the portfolios. For example, assume that \$30 million is invested in an account with INA, and this account achieves a 5.0% annual return compounded monthly, gross of fees, for a period of five years. At the end of five years that account would have grown to \$38,500,760 before the deduction of management fees. Assuming management fees of 0.25% per year are deducted monthly from the account, the value at the end of the five year period would be \$38,022,447. Actual fees for new accounts are dependent on size and subject to negotiation. INA's investment advisory fees are discussed in Part 2A of its Form ADV.

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For trading activity the Clearing broker will be reflected. In certain cases the Clearing broker will differ from the Executing broker.

In calculating ratings distributions and weighted average portfolio quality, Insight assigns U.S Treasury and U.S agency securities a quality rating based on the methodology used within the respective benchmark index. When Moody's, S&P and Fitch rate a security, Bank of America and Merrill Lynch indexes assign a simple weighted average statistic while Barclays indexes assign the median statistic. Insight assigns all other securities the lower of Moody's and S&P ratings.

Information about the indices shown here is provided to allow for comparison of the performance of the strategy to that of certain well-known and widely recognized indices. There is no representation that such index is an appropriate benchmark for such comparison. You cannot invest directly in an index and the indices represented do not take into account trading commissions and/or other brokerage or custodial costs. The volatility of the indices may be materially different from that of the strategy. In addition, the strategy's holdings may differ substantially from the securities that comprise the indices shown.

The ICE BofA 3 Month US T-Bill index is an unmanaged market index of U.S. Treasury securities maturing in 90 days that assumes reinvestment of all income.

The ICE BofA 6 Month US T-Bill index measures the performance of Treasury bills with time to maturity of less than 6 months.

The ICE BofA 1-Year US Treasury Index is a one-security index comprised of the most recently issued 1-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 1-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 3-Year US Treasury Index is a one-security index comprised of the most recently issued 3-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 3-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 5-Year US Treasury Index is a one-security index comprised of the most recently issued 5-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 5-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 1-3 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than three years.

The ICE BofA 1-5 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than five years.

ADDITIONAL INFORMATION

As of November 30, 2021

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SAN RAFAEL

December 2021

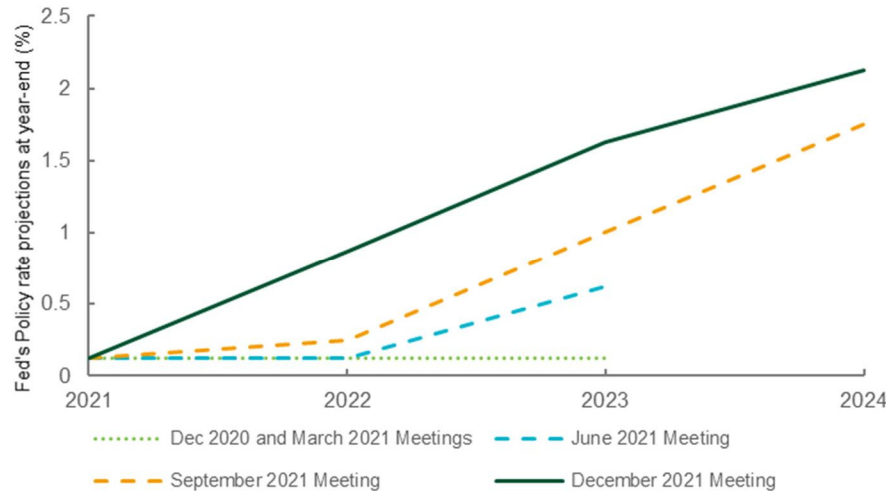


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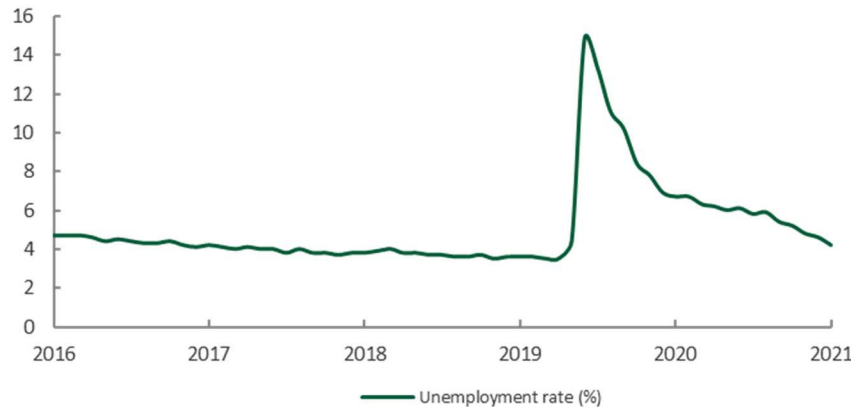
As of December 31, 2021

Chart 1: The Fed's most significant recent upward policy rate forecast revision



Source: Bloomberg, December 31, 2021

Chart 2: Unemployment rate continues to descend



Source: Bloomberg, December 31, 2021

Economic Indicators and Monetary Policy

The Federal Reserve (Fed) doubled its pace of 'tapering' to a rate of \$30bn per month. This puts the Fed on course to cease expanding its balance sheet in March 2022. It revised its dot plot to reflect a median expectation of three hikes in 2022 (Chart 1).

November's CPI report came in at 6.8% for headline inflation (the highest since 1982, but modestly lower than market fears of 7%+) with core inflation reaching 4.9% (the highest since 1991). Energy prices were a key factor, rising 33% pa. Regarding 'sticky' inflation categories, rents ran at ~0.4% in November, pushing owners' equivalent rent to 3.5% pa and medical prices showed a small but notable 2.1% pa rise.

The US economy added 210,000 jobs in November, less than the 550,000 expected. However, the unemployment rate fell unexpectedly to 4.2% from 4.6%. The participation rate increased to 61.8% from 61.6%. Wage data was close to expectations with average hourly earnings up 4.8% pa. Leisure and hospitality wages continue to advance faster than other sectors – up 12.35% pa.

The JOLTS report was further indicative of a tight labor market. Job openings rose 4.1% to 11m, close to July's record high. The number of layoffs declined 2.5% to 1.361m, close to a record low.

On the political front, President Joe Biden failed to secure Democratic Senator Joe Manchin's approval for the 'American Families Plan', the last component of the \$1.75trn 'Build Back Better' fiscal program, forcing Congress to return to the drawing board.

In response to the global spread of the more transmissible but potentially less severe Omicron Covid-19 variant, a number of countries enacted precautionary restrictions around the holiday period, although such measures were relatively modest in the US. Risk assets enjoyed a strong end to the year.

Interest Rate Summary

Yields rose modestly across the curve. At the end of December, the 3-month US Treasury bill yielded 0.06%, the 6-month US Treasury bill yielded 0.19%, the 2-year US Treasury note yielded 0.74%, the 5-year US Treasury note yielded 1.27% and the 10-year US Treasury note yielded 1.51%.

ACTIVITY AND PERFORMANCE SUMMARY

For the period December 1, 2021 - December 31, 2021

Amortized Cost Basis Activity Summary

Opening balance		33,340,917.12
Income received	(22,466.10)	
Total receipts		(22,466.10)
Expenses paid	(200.94)	
Total disbursements		(200.94)
Interportfolio transfers	12,600,000.00	
Total Interportfolio transfers		12,600,000.00
Realized gain (loss)		0.00
Change in accruals from security movement		0.00
Total amortization expense		(31,120.21)
Total OID/MKT accretion income		400.72
Return of capital		0.00
Closing balance		45,887,530.59
Ending fair value		45,813,287.78
Unrealized gain (loss)		(74,242.81)

Detail of Amortized Cost Basis Return

	Interest earned	Accretion (amortization)	Realized gain (loss)	Total income
Cash and Cash Equivalents	1.04	0.00	0.00	1.04
Corporate Bonds	31,937.71	(23,409.60)	0.00	8,528.11
Government Agencies	15,110.80	(3,548.25)	0.00	11,562.55
Government Bonds	7,870.37	(3,761.64)	0.00	4,108.73
Municipal/Provincial Bonds	5,241.01	0.00	0.00	5,241.01
Total	60,160.93	(30,719.49)	0.00	29,441.44

Comparative Rates of Return (%)

	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.04	0.02	0.00
Merrill Lynch 3m US Treas Bill	0.03	0.02	0.00
Merrill Lynch 6m US Treas Bill	0.04	0.02	0.01
ML 1 Year US Treasury Note	0.10	0.07	0.03
ML 2 Year US Treasury Note	0.27	0.19	0.06
ML 5 Year US Treasury Note	0.86	0.50	0.10

* rates reflected are cumulative

Summary of Amortized Cost Basis Return for the Period

	Total portfolio
Interest earned	60,160.93
Accretion (amortization)	(30,719.49)
Realized gain (loss) on sales	0.00
Total income on portfolio	29,441.44
Average daily amortized cost	38,001,726.41
Period return (%)	0.08
YTD return (%)	1.33
Weighted average final maturity in days	680

ACTIVITY AND PERFORMANCE SUMMARY

For the period December 1, 2021 - December 31, 2021

<u>Fair Value Basis Activity Summary</u>		
Opening balance		33,309,481.21
Income received	(22,466.10)	
Total receipts		(22,466.10)
Expenses paid	(200.94)	
Total disbursements		(200.94)
Interportfolio transfers	12,600,000.00	
Total Interportfolio transfers		12,600,000.00
Unrealized gain (loss) on security movements		0.00
Change in accruals from security movement		0.00
Return of capital		0.00
Change in fair value for the period		(73,526.39)
Ending fair value		45,813,287.78

<u>Detail of Fair Value Basis Return</u>			
	Interest earned	Change in fair value	Total income
Cash and Cash Equivalents	1.04	0.00	1.04
Corporate Bonds	31,937.71	(23,311.75)	8,625.96
Government Agencies	15,110.80	(25,644.30)	(10,533.50)
Government Bonds	7,870.37	(24,570.34)	(16,699.97)
Municipal/Provincial Bonds	5,241.01	0.00	5,241.01
Total	60,160.93	(73,526.39)	(13,365.46)

<u>Comparative Rates of Return (%)</u>			
	* Twelve month trailing	* Six month trailing	* One month
Fed Funds	0.08	0.04	0.01
Overnight Repo	0.04	0.02	0.00
ICE Bofa 3 Months US T-BILL	0.05	0.02	0.01
ICE Bofa 6m US Treas Bill	0.09	0.03	0.01
ICE Bofa 1 Yr US Treasury Note	(0.07)	(0.16)	(0.11)
ICE BofA US Treasury 1-3	(0.55)	(0.47)	(0.25)
ICE BofA US Treasury 1-5	(1.10)	(0.69)	(0.28)

* rates reflected are cumulative

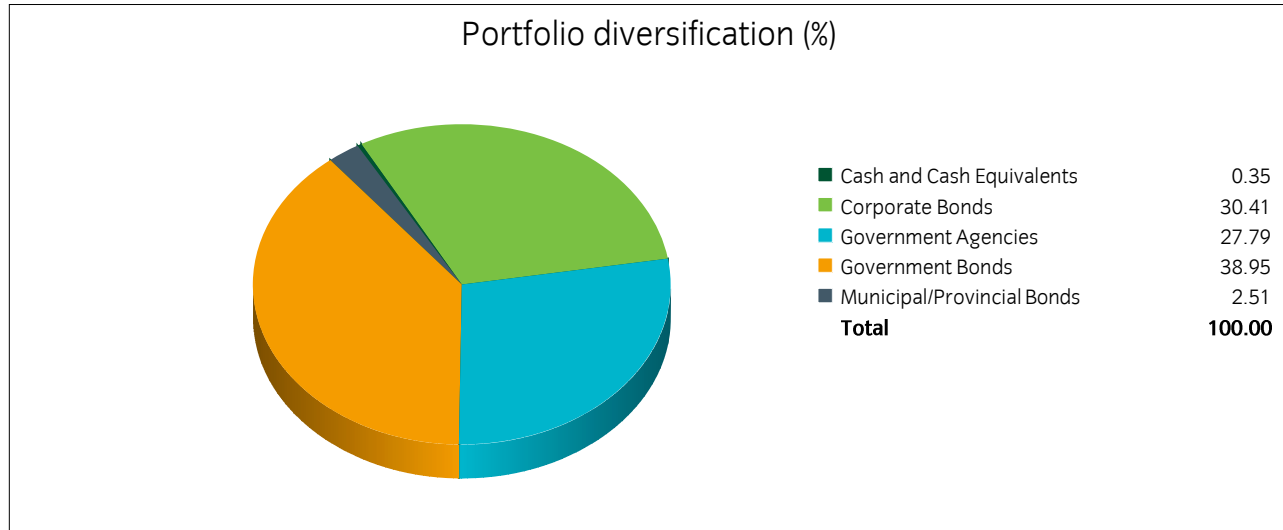
<u>Summary of Fair Value Basis Return for the Period</u>	
	Total portfolio
Interest earned	60,160.93
Change in fair value	(73,526.39)
Total income on portfolio	(13,365.46)
Average daily total value *	38,114,492.10
Period return (%)	(0.04)
YTD return (%)	(0.25)
Weighted average final maturity in days	680

* Total value equals market value and accrued interest

RECAP OF SECURITIES HELD

As of December 31, 2021

	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Weighted average final maturity (days)	Percent of portfolio	Weighted average effective duration (years)
Cash and Cash Equivalents	160,461.81	160,461.81	160,461.81	0.00	1	0.35	0.00
Corporate Bonds	14,057,262.40	13,840,546.39	13,782,838.32	(57,708.07)	660	30.41	1.57
Government Agencies	12,844,806.57	12,747,089.93	12,774,394.68	27,304.75	526	27.79	1.31
Government Bonds	18,003,206.12	17,980,132.46	17,936,292.97	(43,839.49)	604	38.95	1.63
Municipal/Provincial Bonds	1,159,300.00	1,159,300.00	1,159,300.00	0.00	3,898	2.51	8.18
Total	46,225,036.90	45,887,530.59	45,813,287.78	(74,242.81)	680	100.00	1.68

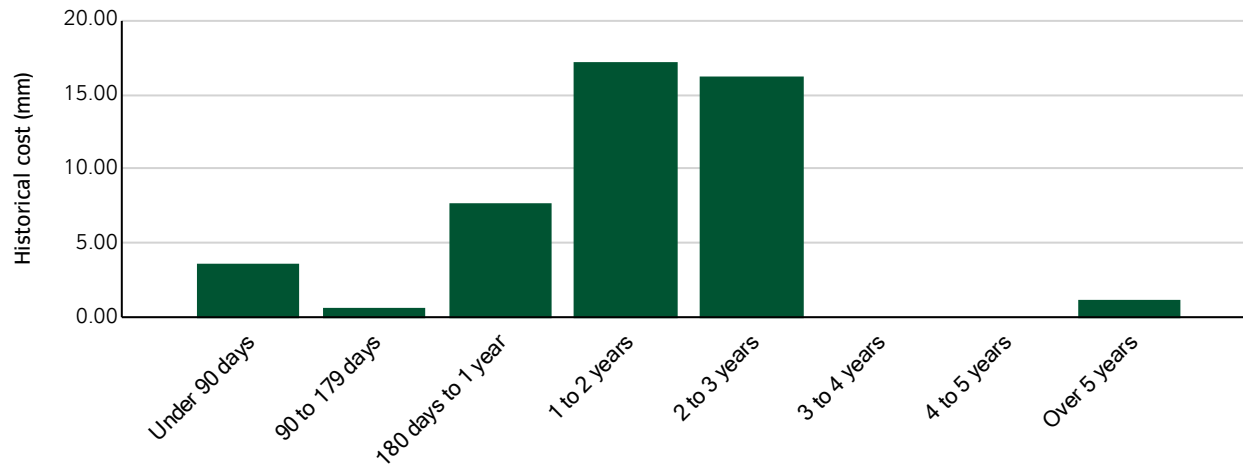


MATURITY DISTRIBUTION OF SECURITIES HELD

As of December 31, 2021

Maturity	Historic cost	Percent
Under 90 days	3,567,657.11	7.72
90 to 179 days	615,576.00	1.33
180 days to 1 year	7,587,047.22	16.41
1 to 2 years	17,169,690.37	37.14
2 to 3 years	16,125,766.20	34.89
3 to 4 years	0.00	0.00
4 to 5 years	0.00	0.00
Over 5 years	1,159,300.00	2.51
	46,225,036.90	100.00

Maturity distribution



SECURITIES HELD

As of December 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Cash and Cash Equivalents										
	Cash and Cash Equivalents	0.000		160,461.81	160,461.81	160,461.81	160,461.81	0.00	0.00	0.35
Total Cash and Cash Equivalents				160,461.81	160,461.81	160,461.81	160,461.81	0.00	0.00	0.35
Corporate Bonds										
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	2.700	03/03/2022 01/31/2022	700,000.00	714,231.00	701,423.10	701,185.04	(238.06)	6,195.00	1.55
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	3.207	04/01/2023 04/01/2022	600,000.00	615,576.00	604,308.26	603,583.72	(724.54)	4,810.50	1.33
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	2.550	04/11/2023 01/11/2023	500,000.00	509,155.00	502,842.26	511,012.60	8,170.34	2,833.33	1.10
037833AK6	APPLE INC 2.4% 03MAY2023	2.400	05/03/2023	500,000.00	506,880.00	502,542.49	511,964.77	9,422.28	1,933.33	1.10
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	1.950	05/10/2023	1,000,000.00	1,031,510.00	1,021,208.65	1,015,853.69	(5,354.96)	2,762.50	2.23
742718EB1	PROCTER & GAMBLE CO/THE 3.1% 15AUG2023	3.100	08/15/2023	500,000.00	520,430.00	519,820.15	519,828.68	8.53	5,855.56	1.13
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	1.350	08/25/2023	700,000.00	714,959.00	710,533.26	706,260.77	(4,272.49)	3,307.50	1.55
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	3.750	11/24/2023	1,000,000.00	1,086,390.00	1,064,089.76	1,054,003.21	(10,086.55)	3,854.17	2.35
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	3.004	12/20/2023 12/20/2022	500,000.00	525,795.00	511,486.32	510,364.90	(1,121.42)	458.94	1.14
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	0.450	01/11/2024	480,000.00	479,342.40	479,420.14	476,005.88	(3,414.26)	1,020.00	1.04

SECURITIES HELD

As of December 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Corporate Bonds										
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	0.450	01/17/2024	1,000,000.00	1,001,230.00	1,000,929.75	990,491.31	(10,438.44)	2,050.00	2.17
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	3.650	01/23/2024 12/23/2023	500,000.00	541,470.00	531,556.15	526,019.31	(5,536.84)	8,009.72	1.17
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	3.500	01/23/2024 12/24/2023	900,000.00	957,939.00	936,384.62	942,522.96	6,138.34	13,825.00	2.07
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	3.375	02/05/2024 01/05/2024	1,000,000.00	1,079,130.00	1,059,470.37	1,048,424.92	(11,045.45)	13,687.50	2.33
459200HU8	IBM CORP 3.625% 12FEB2024	3.625	02/12/2024	1,000,000.00	1,086,900.00	1,066,217.80	1,054,292.47	(11,925.33)	13,996.53	2.35
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	3.250	02/14/2024 01/14/2024	500,000.00	541,935.00	529,231.04	522,715.86	(6,515.18)	6,184.03	1.17
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	3.600	03/01/2024 12/01/2023	500,000.00	537,465.00	529,385.15	526,996.84	(2,388.31)	6,000.00	1.16
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	3.550	03/05/2024 03/05/2023	500,000.00	535,525.00	515,909.51	514,897.88	(1,011.63)	5,719.44	1.16
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	3.559	04/23/2024 04/23/2023	500,000.00	534,240.00	520,448.89	516,734.90	(3,713.99)	3,361.28	1.16
717081DM2	PFIZER INC 3.4% 15MAY2024	3.400	05/15/2024	500,000.00	537,160.00	533,338.72	529,678.61	(3,660.11)	2,172.22	1.16
Total Corporate Bonds				13,380,000.00	14,057,262.40	13,840,546.39	13,782,838.32	(57,708.07)	108,036.55	30.41
Government Agencies										
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	2.375	01/13/2022	1,650,000.00	1,676,634.30	1,650,452.52	1,651,070.77	618.25	18,287.50	3.63

SECURITIES HELD

As of December 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Agencies										
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	2.500	03/11/2022	1,000,000.00	1,016,330.00	1,001,172.33	1,004,534.63	3,362.30	7,638.89	2.20
3135G0T78	FANNIE MAE 2% 05OCT2022	2.000	10/05/2022	1,250,000.00	1,260,435.75	1,258,999.11	1,265,883.23	6,884.12	5,972.22	2.73
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	2.500	12/09/2022	1,000,000.00	1,021,240.00	1,005,811.43	1,019,847.46	14,036.03	1,527.78	2.21
3137EAEQ8	FREDDIE MAC 0.375% 20APR2023	0.375	04/20/2023	1,250,000.00	1,248,223.75	1,248,257.12	1,247,206.78	(1,050.34)	924.48	2.70
3135G0U43	FANNIE MAE 2.875% 12SEP2023	2.875	09/12/2023	1,000,000.00	1,047,553.22	1,020,365.69	1,036,977.87	16,612.18	8,704.86	2.27
3135G0V34	FANNIE MAE 2.5% 05FEB2024	2.500	02/05/2024	600,000.00	621,262.80	610,390.56	621,348.18	10,957.62	6,083.33	1.34
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.350	04/22/2024	1,000,000.00	1,000,000.00	1,000,000.00	994,119.75	(5,880.25)	670.83	2.16
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23MAR22)	0.350	04/23/2024 03/23/2022	1,000,000.00	1,000,000.00	1,000,000.00	992,331.24	(7,668.76)	77.78	2.16
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	0.350	04/26/2024 01/26/2022	1,200,000.00	1,199,700.00	1,199,800.24	1,185,670.78	(14,129.46)	758.33	2.60
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.375	05/06/2024 05/06/2022	1,000,000.00	1,000,000.00	1,000,000.00	988,821.99	(11,178.01)	572.92	2.16
3135G0V75	FANNIE MAE 1.75% 02JUL2024	1.750	07/02/2024	750,000.00	753,426.75	751,840.93	766,582.00	14,741.07	6,526.04	1.63
Total Government Agencies				12,700,000.00	12,844,806.57	12,747,089.93	12,774,394.68	27,304.75	57,744.96	27.79

SECURITIES HELD

SAN RAFAEL

As of December 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
912828ZX1	USA TREASURY 0.125% 30JUN2022	0.125	06/30/2022	1,000,000.00	999,808.04	999,812.19	999,609.38	(202.81)	0.00	2.16
9128287C8	USA TREASURY 1.75% 15JUL2022	1.750	07/15/2022	1,250,000.00	1,261,088.17	1,260,601.37	1,260,009.76	(591.61)	10,045.86	2.73
91282CAN1	USA TREASURY 0.125% 30SEP2022	0.125	09/30/2022	1,250,000.00	1,248,929.97	1,248,964.12	1,248,339.85	(624.27)	394.92	2.70
912828M80	USA TREASURY 2% 30NOV2022	2.000	11/30/2022	1,250,000.00	1,269,750.29	1,261,471.31	1,268,115.24	6,643.93	2,129.12	2.75
912828Z29	USA TREASURY 1.5% 15JAN2023	1.500	01/15/2023	1,000,000.00	1,011,526.79	1,011,406.72	1,010,898.44	(508.28)	6,888.59	2.19
912828Z86	USA TREASURY 1.375% 15FEB2023	1.375	02/15/2023	1,250,000.00	1,263,920.20	1,263,621.91	1,263,037.11	(584.80)	6,445.31	2.73
912828ZD5	USA TREASURY 0.5% 15MAR2023	0.500	03/15/2023	1,000,000.00	1,000,315.85	1,000,313.00	1,000,390.62	77.62	1,477.90	2.16
9128282D1	USA TREASURY 1.375% 31AUG2023	1.375	08/31/2023	1,250,000.00	1,265,970.98	1,265,738.02	1,264,892.58	(845.44)	5,792.47	2.74
91282CAW1	USA TREASURY 0.25% 15NOV2023	0.250	11/15/2023	1,000,000.00	1,000,120.54	1,000,088.75	991,875.00	(8,213.75)	317.68	2.16
912828U57	USA TREASURY 2.125% 30NOV2023	2.125	11/30/2023	650,000.00	661,529.52	655,394.33	667,519.53	12,125.20	1,176.34	1.43
91282CBA8	USA TREASURY 0.125% 15DEC2023	0.125	12/15/2023	1,200,000.00	1,194,566.52	1,195,156.67	1,186,359.37	(8,797.30)	65.93	2.58
91282CBV2	USA TREASURY 0.375% 15APR2024	0.375	04/15/2024	1,000,000.00	1,001,175.22	1,000,908.87	990,156.25	(10,752.62)	793.27	2.17

SECURITIES HELD

As of December 31, 2021

Cusip	Description	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost	Fair value	Unrealized gain (loss)	Total accrued interest	% Port cost
Government Bonds										
91282CCC3	USA TREASURY 0.25% 15MAY2024	0.250	05/15/2024	1,000,000.00	996,878.35	997,540.17	986,562.50	(10,977.67)	317.68	2.16
912828D56	USA TREASURY 2.375% 15AUG2024	2.375	08/15/2024	1,000,000.00	1,038,011.16	1,037,853.11	1,038,554.69	701.58	8,906.25	2.25
9128282Y5	USA TREASURY 2.125% 30SEP2024	2.125	09/30/2024	1,000,000.00	1,051,800.23	1,045,700.73	1,032,890.62	(12,810.11)	5,370.88	2.28
912828YM6	USA TREASURY 1.5% 31OCT2024	1.500	10/31/2024	1,000,000.00	1,014,925.23	1,014,867.77	1,015,898.44	1,030.67	2,527.62	2.20
912828YV6	USA TREASURY 1.5% 30NOV2024	1.500	11/30/2024	700,000.00	722,889.06	720,693.42	711,183.59	(9,509.83)	894.23	1.56
Total Government Bonds				17,800,000.00	18,003,206.12	17,980,132.46	17,936,292.97	(43,839.49)	53,544.05	38.95
Municipal/Provincial Bonds										
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	5.250	09/02/2032	1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	20,118.69	2.51
Total Municipal/Provincial Bonds				1,159,300.00	1,159,300.00	1,159,300.00	1,159,300.00	0.00	20,118.69	2.51
Grand total				45,199,761.81	46,225,036.90	45,887,530.59	45,813,287.78	(74,242.81)	239,444.25	100.00

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

As of December 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
United States Treasury Note/Bond												
912828ZX1	USA TREASURY 0.125%	0.125	06/30/2022		AA+	Aaa	1,000,000.00	999,808.04	2.16	999,609.38	2.18	0.50
9128287C8	USA TREASURY 1.75%	1.750	07/15/2022		AA+	Aaa	1,250,000.00	1,261,088.17	2.73	1,260,009.76	2.75	0.53
91282CAN1	USA TREASURY 0.125%	0.125	09/30/2022		AA+	Aaa	1,250,000.00	1,248,929.97	2.70	1,248,339.85	2.72	0.75
912828M80	USA TREASURY 2%	2.000	11/30/2022		AA+	Aaa	1,250,000.00	1,269,750.29	2.75	1,268,115.24	2.77	0.91
912828Z29	USA TREASURY 1.5%	1.500	01/15/2023		AA+	Aaa	1,000,000.00	1,011,526.79	2.19	1,010,898.44	2.21	1.03
912828Z86	USA TREASURY 1.375%	1.375	02/15/2023		AA+	Aaa	1,250,000.00	1,263,920.20	2.73	1,263,037.11	2.76	1.11
912828ZD5	USA TREASURY 0.5%	0.500	03/15/2023		AA+	Aaa	1,000,000.00	1,000,315.85	2.16	1,000,390.62	2.18	1.19
9128282D1	USA TREASURY 1.375%	1.375	08/31/2023		AA+	Aaa	1,250,000.00	1,265,970.98	2.74	1,264,892.58	2.76	1.64
91282CAW1	USA TREASURY 0.25%	0.250	11/15/2023		AA+	Aaa	1,000,000.00	1,000,120.54	2.16	991,875.00	2.17	1.87
912828U57	USA TREASURY 2.125%	2.125	11/30/2023		AA+	Aaa	650,000.00	661,529.52	1.43	667,519.53	1.46	1.88
91282CBA8	USA TREASURY 0.125%	0.125	12/15/2023		AA+	Aaa	1,200,000.00	1,194,566.52	2.58	1,186,359.37	2.59	1.95
91282CBV2	USA TREASURY 0.375%	0.375	04/15/2024		AA+	Aaa	1,000,000.00	1,001,175.22	2.17	990,156.25	2.16	2.27
91282CCC3	USA TREASURY 0.25%	0.250	05/15/2024		AA+	Aaa	1,000,000.00	996,878.35	2.16	986,562.50	2.15	2.36
912828D56	USA TREASURY 2.375%	2.375	08/15/2024		AA+	Aaa	1,000,000.00	1,038,011.16	2.25	1,038,554.69	2.27	2.53
9128282Y5	USA TREASURY 2.125%	2.125	09/30/2024		AA+	Aaa	1,000,000.00	1,051,800.23	2.28	1,032,890.62	2.25	2.67
912828YM6	USA TREASURY 1.5%	1.500	10/31/2024		AA+	Aaa	1,000,000.00	1,014,925.23	2.20	1,015,898.44	2.22	2.77
912828YV6	USA TREASURY 1.5%	1.500	11/30/2024		AA+	Aaa	700,000.00	722,889.06	1.56	711,183.59	1.55	2.85
Issuer total							17,800,000.00	18,003,206.12	38.95	17,936,292.97	39.15	1.63
Federal National Mortgage Association												
3135G0T78	FANNIE MAE 2%	2.000	10/05/2022		AA+	Aaa	1,250,000.00	1,260,435.75	2.73	1,265,883.23	2.76	0.76
3135G0U43	FANNIE MAE 2.875%	2.875	09/12/2023		AA+	Aaa	1,000,000.00	1,047,553.22	2.27	1,036,977.87	2.26	1.66
3135G0V34	FANNIE MAE 2.5%	2.500	02/05/2024		AA+	Aaa	600,000.00	621,262.80	1.34	621,348.18	1.36	2.03
3136G46B4	FANNIE MAE 0.35%	0.350	04/26/2024	01/26/2022	AA+	Aaa	1,200,000.00	1,199,700.00	2.60	1,185,670.78	2.59	1.93

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of December 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Federal National Mortgage Association												
3135G0V75	FANNIE MAE 1.75%	1.750	07/02/2024		AA+	Aaa	750,000.00	753,426.75	1.63	766,582.00	1.67	2.43
Issuer total							4,800,000.00	4,882,378.52	10.56	4,876,462.06	10.64	1.66
Federal Home Loan Banks												
313378WG2	FEDERAL HOME LOAN	2.500	03/11/2022		AA+	Aaa	1,000,000.00	1,016,330.00	2.20	1,004,534.63	2.19	0.19
3130A3KM5	FEDERAL HOME LOAN	2.500	12/09/2022		AA+	Aaa	1,000,000.00	1,021,240.00	2.21	1,019,847.46	2.23	0.93
3130AMQQ	FEDERAL HOME LOAN	0.350	04/23/2024	03/23/2022	AA+	Aaa	1,000,000.00	1,000,000.00	2.16	992,331.24	2.17	1.70
Issuer total							3,000,000.00	3,037,570.00	6.57	3,016,713.33	6.58	0.94
Federal Home Loan Mortgage Corp												
3137EADB2	FREDDIE MAC 2.375%	2.375	01/13/2022		AA+	Aaa	1,650,000.00	1,676,634.30	3.63	1,651,070.77	3.60	0.04
3137EAEQ8	FREDDIE MAC 0.375%	0.375	04/20/2023		AA+	Aaa	1,250,000.00	1,248,223.75	2.70	1,247,206.78	2.72	1.29
Issuer total							2,900,000.00	2,924,858.05	6.33	2,898,277.55	6.33	0.57
Federal Farm Credit Banks Funding Corp												
3133EMWV	FEDERAL FARM CREDIT	0.350	04/22/2024		AA+	Aaa	1,000,000.00	1,000,000.00	2.16	994,119.75	2.17	2.29
3133EMYR7	FEDERAL FARM CREDIT	0.375	05/06/2024	05/06/2022	AA+	Aaa	1,000,000.00	1,000,000.00	2.16	988,821.99	2.16	1.89
Issuer total							2,000,000.00	2,000,000.00	4.33	1,982,941.74	4.33	2.09
Toyota Motor Credit Corp												
89236THA6	TOYOTA MOTOR CREDIT	1.350	08/25/2023		A+	A1	700,000.00	714,959.00	1.55	706,260.77	1.54	1.63
89236THU2	TOYOTA MOTOR CREDIT	0.450	01/11/2024		A+	A1	480,000.00	479,342.40	1.04	476,005.88	1.04	2.01
Issuer total							1,180,000.00	1,194,301.40	2.58	1,182,266.65	2.58	1.78
PT. SAN ASSESS DISTRICT												
888599LS4	PT. SAN ASSESS	5.250	09/02/2032		NR	NR	1,159,300.00	1,159,300.00	2.51	1,159,300.00	2.53	8.18
Issuer total							1,159,300.00	1,159,300.00	2.51	1,159,300.00	2.53	8.18

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of December 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
JPMorgan Chase & Co												
46647PBB1	JPMORGAN CHASE & CO	3.207	04/01/2023	04/01/2022	A-	A2	600,000.00	615,576.00	1.33	603,583.72	1.32	0.25
46647PAP1	JPMORGAN CHASE & CO	3.559	04/23/2024	04/23/2023	A-	A2	500,000.00	534,240.00	1.16	516,734.90	1.13	1.28
Issuer total							1,100,000.00	1,149,816.00	2.49	1,120,318.62	2.45	0.73
International Business Machines Corp												
459200HU8	IBM CORP 3.625%	3.625	02/12/2024		A-	A3	1,000,000.00	1,086,900.00	2.35	1,054,292.47	2.30	2.02
Issuer total							1,000,000.00	1,086,900.00	2.35	1,054,292.47	2.30	2.02
Caterpillar Financial Services Corp												
14912L5X5	CATERPILLAR FINANCIAL	3.750	11/24/2023		A	A2	1,000,000.00	1,086,390.00	2.35	1,054,003.21	2.30	1.84
Issuer total							1,000,000.00	1,086,390.00	2.35	1,054,003.21	2.30	1.84
US Bancorp												
91159HHV5	US BANCORP 3.375%	3.375	02/05/2024	01/05/2024	A+	A2	1,000,000.00	1,079,130.00	2.33	1,048,424.92	2.29	1.94
Issuer total							1,000,000.00	1,079,130.00	2.33	1,048,424.92	2.29	1.94
Bank of America Corp												
06051GHC6	BANK OF AMERICA CORP	3.004	12/20/2023	12/20/2022	A-	A2	500,000.00	525,795.00	1.14	510,364.90	1.11	0.96
06051GHF9	BANK OF AMERICA CORP	3.550	03/05/2024	03/05/2023	A-	A2	500,000.00	535,525.00	1.16	514,897.88	1.12	1.14
Issuer total							1,000,000.00	1,061,320.00	2.30	1,025,262.78	2.24	1.05
American Honda Finance Corp												
02665WDH1	AMERICAN HONDA	1.950	05/10/2023		A-	A3	1,000,000.00	1,031,510.00	2.23	1,015,853.69	2.22	1.34
Issuer total							1,000,000.00	1,031,510.00	2.23	1,015,853.69	2.22	1.34
John Deere Capital Corp												
24422EVN6	JOHN DEERE CAPITAL	0.450	01/17/2024		A	A2	1,000,000.00	1,001,230.00	2.17	990,491.31	2.16	2.03
Issuer total							1,000,000.00	1,001,230.00	2.17	990,491.31	2.16	2.03

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of December 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
PNC Financial Services Group Inc/The												
693475AV7	PNC FINANCIAL	3.500	01/23/2024	12/24/2023	A-	A3	900,000.00	957,939.00	2.07	942,522.96	2.06	1.91
Issuer total							900,000.00	957,939.00	2.07	942,522.96	2.06	1.91
American Express Credit Corp												
0258M0EG0	AMERICAN EXPRESS	2.700	03/03/2022	01/31/2022	A-	A2	700,000.00	714,231.00	1.55	701,185.04	1.53	0.08
Issuer total							700,000.00	714,231.00	1.55	701,185.04	1.53	0.08
Pfizer Inc												
717081DM2	PFIZER INC 3.4%	3.400	05/15/2024		A+	A2	500,000.00	537,160.00	1.16	529,678.61	1.16	2.29
Issuer total							500,000.00	537,160.00	1.16	529,678.61	1.16	2.29
PepsiCo Inc												
713448CM8	PEPSICO INC 3.6%	3.600	03/01/2024	12/01/2023	A+	A1	500,000.00	537,465.00	1.16	526,996.84	1.15	1.87
Issuer total							500,000.00	537,465.00	1.16	526,996.84	1.15	1.87
Citibank NA												
17325FAS7	CITIBANK NA 3.65%	3.650	01/23/2024	12/23/2023	A+	Aa3	500,000.00	541,470.00	1.17	526,019.31	1.15	1.90
Issuer total							500,000.00	541,470.00	1.17	526,019.31	1.15	1.90
3M Co												
88579YBB6	3M COMPANY 3.25%	3.250	02/14/2024	01/14/2024	A+	A1	500,000.00	541,935.00	1.17	522,715.86	1.14	1.97
Issuer total							500,000.00	541,935.00	1.17	522,715.86	1.14	1.97
Procter & Gamble Co/The												
742718EB1	PROCTER & GAMBLE	3.100	08/15/2023		AA-	Aa3	500,000.00	520,430.00	1.13	519,828.68	1.13	1.58
Issuer total							500,000.00	520,430.00	1.13	519,828.68	1.13	1.58

GASB 40 - DEPOSIT AND INVESTMENT RISK DISCLOSURE

SAN RAFAEL

As of December 31, 2021

Cusip	Description	Coupon	Maturity date	Call date	S&P rating	Moody rating	Par value or shares	Historical cost	% Portfolio hist cost	Market value	% Portfolio mkt value	Effective dur (yrs)
Apple Inc												
037833AK6	APPLE INC 2.4%	2.400	05/03/2023		AA+	Aaa	500,000.00	506,880.00	1.10	511,964.77	1.12	1.32
Issuer total							500,000.00	506,880.00	1.10	511,964.77	1.12	1.32
Walmart Inc												
931142DH3	WALMART INC 2.55%	2.550	04/11/2023	01/11/2023	AA	Aa2	500,000.00	509,155.00	1.10	511,012.60	1.12	1.03
Issuer total							500,000.00	509,155.00	1.10	511,012.60	1.12	1.03
Cash and Cash Equivalents												
	INVESTED CASH	0.000					160,461.81	160,461.81	0.00	160,461.81	0.35	0.00
Issuer total							160,461.81	160,461.81	0.00	160,461.81	0.35	0.00
Grand total							45,199,761.81	46,225,036.90	100.00	45,813,287.78	100.00	1.68

SECURITIES PURCHASED

For the period December 1, 2021 - December 31, 2021

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Unit cost	Principal cost	Accrued interest
Corporate Bonds								
742718EB1	PROCTER & GAMBLE CO/THE 3.1% MERRILL LYNCH, PIERCE,	12/13/2021 12/15/2021	3.100	08/15/2023	500,000.00	104.09	(520,430.00)	(5,166.67)
Total Corporate Bonds					500,000.00		(520,430.00)	(5,166.67)
Government Agencies								
3137EAEQ8	FREDDIE MAC 0.375% 20APR2023 NOMURA SECURITIES NEW YORK	12/22/2021 12/23/2021	0.375	04/20/2023	1,250,000.00	99.86	(1,248,223.75)	(820.31)
3135G0T78	FANNIE MAE 2% 05OCT2022 WELLS FARGO BANK, N.A.	12/27/2021 12/28/2021	2.000	10/05/2022	650,000.00	101.34	(658,719.75)	(2,997.22)
Total Government Agencies					1,900,000.00		(1,906,943.50)	(3,817.53)
Government Bonds								
9128287C8	USA TREASURY 1.75% 15JUL2022 HSBC SECURITIES (USA) INC.	12/22/2021 12/23/2021	1.750	07/15/2022	1,250,000.00	100.89	(1,261,088.17)	(9,570.31)
91282CAN1	USA TREASURY 0.125% 30SEP2022 HSBC SECURITIES (USA) INC.	12/22/2021 12/23/2021	0.125	09/30/2022	1,250,000.00	99.91	(1,248,929.97)	(360.58)
912828Z86	USA TREASURY 1.375% 15FEB2023 HSBC SECURITIES (USA) INC.	12/22/2021 12/23/2021	1.375	02/15/2023	1,250,000.00	101.11	(1,263,920.20)	(6,071.67)
9128282D1	USA TREASURY 1.375% 31AUG2023 HSBC SECURITIES (USA) INC.	12/22/2021 12/23/2021	1.375	08/31/2023	1,250,000.00	101.28	(1,265,970.98)	(5,412.64)
912828ZX1	USA TREASURY 0.125% 30JUN2022 NATWEST MARKETS PLC	12/27/2021 12/28/2021	0.125	06/30/2022	1,000,000.00	99.98	(999,808.04)	(614.80)
912828M80	USA TREASURY 2% 30NOV2022 MORGAN STANLEY AND CO., LLC	12/27/2021 12/28/2021	2.000	11/30/2022	500,000.00	101.54	(507,677.46)	(769.23)

SECURITIES PURCHASED

For the period December 1, 2021 - December 31, 2021

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Unit cost	Principal cost	Accrued interest
Government Bonds								
912828Z29	USA TREASURY 1.5% 15JAN2023 BARCLAYS CAPITAL	12/27/2021 12/28/2021	1.500	01/15/2023	1,000,000.00	101.15	(1,011,526.79)	(6,766.30)
912828ZD5	USA TREASURY 0.5% 15MAR2023 SOCIETE GENERALE	12/27/2021 12/28/2021	0.500	03/15/2023	1,000,000.00	100.03	(1,000,315.85)	(1,436.46)
912828D56	USA TREASURY 2.375% 15AUG2024 RBC DOMINION SECURITIES	12/27/2021 12/28/2021	2.375	08/15/2024	1,000,000.00	103.80	(1,038,011.16)	(8,712.64)
912828YM6	USA TREASURY 1.5% 31OCT2024 BNP PARIBAS PARIS	12/27/2021 12/28/2021	1.500	10/31/2024	1,000,000.00	101.49	(1,014,925.23)	(2,403.31)
Total Government Bonds					10,500,000.00		(10,612,173.85)	(42,117.94)
Grand total					12,900,000.00		(13,039,547.35)	(51,102.14)

SECURITIES SOLD AND MATURED

For the period December 1, 2021 - December 31, 2021

Cusip	Description / Broker	Trade date Settle date	Coupon	Maturity/ Call date	Par value or shares	Historical cost	Amortized cost at sale or maturity	Price	Fair value at sale or maturity	Realized gain (loss)	Accrued interest sold
Corporate Bonds											
717081DZ3	PFIZER INC 2.2% DUE 12-15-2021	12/15/2021 12/15/2021	2.200		(500,000.00)	503,615.00	500,000.00	0.00	500,000.00	0.00	0.00
Total (Corporate Bonds)					(500,000.00)	503,615.00	500,000.00		500,000.00	0.00	0.00
Grand total					(500,000.00)	503,615.00	500,000.00		500,000.00	0.00	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period December 1, 2021 - December 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Cash						
	Cash and Cash Equivalents	0.00	0.00	0.00	1.04	1.04
Total Cash		0.00	0.00	0.00	1.04	1.04
Corporate Bonds						
88579YBB6	3M COMPANY 3.25% 14FEB2024 (CALLABLE 14JAN24)	(1,194.73)	0.00	(2,170.29)	1,399.31	0.00
0258M0EG0	AMERICAN EXPRESS CREDIT 2.7% 03MAR2022 (CALLABLE 31JAN22)	(1,375.66)	0.00	(1,475.30)	1,627.50	0.00
02665WDH1	AMERICAN HONDA FINANCE 1.95% 10MAY2023	(1,298.49)	0.00	(722.97)	1,679.17	0.00
037833AK6	APPLE INC 2.4% 03MAY2023	(157.92)	0.00	(60.61)	1,033.33	0.00
06051GHC6	BANK OF AMERICA CORP 3.004% 20DEC2023 (CALLABLE 20DEC22)	(984.55)	0.00	(900.06)	1,293.38	7,510.00
06051GHF9	BANK OF AMERICA CORP 3.55% 05MAR2024 (CALLABLE 05MAR23)	(1,123.02)	0.00	(1,504.82)	1,528.47	0.00
14912L5X5	CATERPILLAR FINANCIAL SE 3.75% 24NOV2023	(2,810.96)	0.00	(1,908.61)	3,229.17	0.00
17325FAS7	CITIBANK NA 3.65% 23JAN2024 (CALLABLE 23DEC23)	(1,327.75)	0.00	(1,748.74)	1,571.53	0.00
459200HU8	IBM CORP 3.625% 12FEB2024	(2,607.00)	0.00	(2,733.66)	3,121.53	0.00
24422EVN6	JOHN DEERE CAPITAL CORP 0.45% 17JAN2024	(37.85)	0.00	(1,033.62)	387.50	0.00
46647PBB1	JPMORGAN CHASE & CO 3.207% 01APR2023 (CALLABLE 01APR22)	(1,420.30)	0.00	(1,590.14)	1,656.95	0.00
46647PAP1	JPMORGAN CHASE & CO 3.559% 23APR2024 (CALLABLE 23APR23)	(1,296.97)	0.00	(1,671.12)	1,532.35	0.00
713448CM8	PEPSICO INC 3.6% 01MAR2024 (CALLABLE 01DEC23)	(1,275.76)	0.00	(774.50)	1,550.00	0.00
717081DZ3	PFIZER INC 2.2% DUE 12-15-2021	(75.42)	0.00	(342.16)	458.33	5,500.00
717081DM2	PFIZER INC 3.4% 15MAY2024	(1,169.78)	0.00	364.15	1,463.89	0.00
693475AV7	PNC FINANCIAL SERVICES 3.5% 23JAN2024 (CALLABLE 23DEC23)	(1,530.92)	0.00	(2,752.58)	2,712.50	0.00
742718EB1	PROCTER & GAMBLE CO/THE 3.1% 15AUG2023	(609.85)	0.00	(601.32)	688.89	0.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period December 1, 2021 - December 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Corporate Bonds						
89236THU2	TOYOTA MOTOR CREDIT CORP 0.45% 11JAN2024	23.80	0.00	757.19	186.00	0.00
89236THA6	TOYOTA MOTOR CREDIT CORP 1.35% 25AUG2023	(531.09)	0.00	(629.34)	813.75	0.00
91159HHV5	US BANCORP 3.375% 05FEB2024 (CALLABLE 05JAN24)	(2,375.54)	0.00	(1,935.40)	2,906.25	0.00
931142DH3	WALMART INC 2.55% 11APR2023 (CALLABLE 11JAN23)	(229.84)	0.00	122.15	1,097.91	0.00
Total Corporate Bonds		(23,409.60)	0.00	(23,311.75)	31,937.71	13,010.00
Government Agencies						
3136G46B4	FANNIE MAE 0.35% 26APR2024 (CALLABLE 26JAN22)	6.92	0.00	(4,743.43)	361.66	0.00
3135G0V75	FANNIE MAE 1.75% 02JUL2024	(61.23)	0.00	(2,289.65)	1,130.21	0.00
3135G0T78	FANNIE MAE 2% 05OCT2022	(169.12)	0.00	(1,711.23)	1,141.67	0.00
3135G0V34	FANNIE MAE 2.5% 05FEB2024	(412.87)	0.00	(3,252.50)	1,291.66	0.00
3135G0U43	FANNIE MAE 2.875% 12SEP2023	(998.32)	0.00	(4,717.16)	2,475.69	0.00
3133EMWV0	FEDERAL FARM CREDIT BANK 0.35% 22APR2024	0.00	0.00	3,724.72	301.39	0.00
3133EMYR7	FEDERAL FARM CREDIT BANK 0.375% 06MAY2024 (CALLABLE 06MAY22)	0.00	0.00	(1,879.52)	322.92	0.00
3130AMQQ8	FEDERAL HOME LOAN BANK 0.35% 23APR2024 (CALLABLE 23MAR22)	0.00	0.00	(1,740.30)	301.39	1,750.00
3130A3KM5	FEDERAL HOME LOAN BANK 2.5% 09DEC2022	(514.28)	0.00	(2,381.51)	2,152.78	12,500.00
313378WG2	FEDERAL HOME LOAN BANK 2.5% 11MAR2022	(495.34)	0.00	(2,294.41)	2,152.78	0.00
3137EAEQ8	FREDDIE MAC 0.375% 20APR2023	33.37	0.00	(1,016.97)	104.17	0.00
3137EADB2	FREDDIE MAC 2.375% 13JAN2022	(937.38)	0.00	(3,342.34)	3,374.48	0.00
Total Government Agencies		(3,548.25)	0.00	(25,644.30)	15,110.80	14,250.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period December 1, 2021 - December 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Government Bonds						
91282CBA8	USA TREASURY 0.125% 15DEC2023	210.28	0.00	(2,531.26)	127.40	750.00
912828ZX1	USA TREASURY 0.125% 30JUN2022	4.15	0.00	(198.66)	10.20	625.00
91282CAN1	USA TREASURY 0.125% 30SEP2022	34.15	0.00	(590.12)	34.34	0.00
91282CCC3	USA TREASURY 0.25% 15MAY2024	88.05	0.00	(2,304.69)	214.09	0.00
91282CAW1	USA TREASURY 0.25% 15NOV2023	(4.02)	0.00	(2,265.62)	214.09	0.00
91282CBV2	USA TREASURY 0.375% 15APR2024	(33.70)	0.00	(2,617.19)	319.37	0.00
912828ZD5	USA TREASURY 0.5% 15MAR2023	(2.85)	0.00	74.77	41.44	0.00
912828Z86	USA TREASURY 1.375% 15FEB2023	(298.29)	0.00	(883.09)	373.64	0.00
9128282D1	USA TREASURY 1.375% 31AUG2023	(232.96)	0.00	(1,078.40)	379.83	0.00
912828Z29	USA TREASURY 1.5% 15JAN2023	(120.07)	0.00	(628.35)	122.29	0.00
912828YV6	USA TREASURY 1.5% 30NOV2024	(602.34)	0.00	(2,460.94)	894.23	0.00
912828YM6	USA TREASURY 1.5% 31OCT2024	(57.46)	0.00	973.21	124.31	0.00
9128287C8	USA TREASURY 1.75% 15JUL2022	(486.80)	0.00	(1,078.41)	475.55	0.00
912828M80	USA TREASURY 2% 30NOV2022	(451.41)	0.00	(2,511.44)	1,359.89	0.00
912828U57	USA TREASURY 2.125% 30NOV2023	(239.24)	0.00	(2,716.80)	1,176.34	0.00
9128282Y5	USA TREASURY 2.125% 30SEP2024	(1,411.08)	0.00	(4,296.88)	1,809.75	0.00
912828D56	USA TREASURY 2.375% 15AUG2024	(158.05)	0.00	543.53	193.61	0.00
Total Government Bonds		(3,761.64)	0.00	(24,570.34)	7,870.37	1,375.00

DETAIL OF RETURN AND INTEREST RECEIVED

For the period December 1, 2021 - December 31, 2021

Cusip	Description	Accretion (amortization)	Realized gain (loss)	Change in fair value	Interest earned	Interest received
Municipal/Provincial Bonds						
888599LS4	PT. SAN ASSESS DISTRICT 5.25% 144A 02SEP2032 SANRAF\$01	0.00	0.00	0.00	5,241.01	0.00
Total Municipal/Provincial Bonds		0.00	0.00	0.00	5,241.01	0.00
Grand total		(30,719.49)	0.00	(73,526.39)	60,160.93	28,636.04

TRANSACTION REPORT

For the period December 1, 2021 - December 31, 2021

Trade date Settle date	Cusip	Transaction	Sec type	Description	Maturity	Par value or shares	Realized gain(loss)	Principal	Interest	Transaction total
12/09/2021 12/09/2021	3130A3KM5	Income	Government Agencies	FEDERAL HOME LOAN BANK	12/09/2022	1,000,000.00	0.00	0.00	12,500.00	12,500.00
12/13/2021 12/15/2021	742718EB1	Bought	Corporate Bonds	PROCTER & GAMBLE CO/THE	08/15/2023	500,000.00	0.00	(520,430.00)	(5,166.67)	(525,596.67)
12/15/2021 12/15/2021	717081DZ3	Income	Corporate Bonds	PFIZER INC 2.2% DUE	12/15/2021	500,000.00	0.00	0.00	5,500.00	5,500.00
12/15/2021 12/15/2021	717081DZ3	Capital Change	Corporate Bonds	PFIZER INC 2.2% DUE	12/15/2021	(500,000.00)	0.00	500,000.00	0.00	500,000.00
12/15/2021 12/15/2021	91282CBA8	Income	Government Bonds	USA TREASURY 0.125%	12/15/2023	1,200,000.00	0.00	0.00	750.00	750.00
12/20/2021 12/20/2021	06051GHC6	Income	Corporate Bonds	BANK OF AMERICA CORP	12/20/2023	500,000.00	0.00	0.00	7,510.00	7,510.00
12/22/2021 12/23/2021	3137EAEQ8	Bought	Government Agencies	FREDDIE MAC 0.375%	04/20/2023	1,250,000.00	0.00	(1,248,223.75)	(820.31)	(1,249,044.06)
12/22/2021 12/23/2021	912828D1	Bought	Government Bonds	USA TREASURY 1.375%	08/31/2023	1,250,000.00	0.00	(1,265,970.98)	(5,412.64)	(1,271,383.62)
12/22/2021 12/23/2021	9128287C8	Bought	Government Bonds	USA TREASURY 1.75%	07/15/2022	1,250,000.00	0.00	(1,261,088.17)	(9,570.31)	(1,270,658.48)
12/22/2021 12/23/2021	912828Z86	Bought	Government Bonds	USA TREASURY 1.375%	02/15/2023	1,250,000.00	0.00	(1,263,920.20)	(6,071.67)	(1,269,991.87)
12/22/2021 12/23/2021	91282CAN1	Bought	Government Bonds	USA TREASURY 0.125%	09/30/2022	1,250,000.00	0.00	(1,248,929.97)	(360.58)	(1,249,290.55)
12/23/2021 12/23/2021	3130AMQQ8	Income	Government Agencies	FEDERAL HOME LOAN BANK	04/23/2024	1,000,000.00	0.00	0.00	1,750.00	1,750.00
12/27/2021 12/28/2021	3135G0T78	Bought	Government Agencies	FANNIE MAE 2% 05OCT2022	10/05/2022	650,000.00	0.00	(658,719.75)	(2,997.22)	(661,716.97)
12/27/2021 12/28/2021	912828D56	Bought	Government Bonds	USA TREASURY 2.375%	08/15/2024	1,000,000.00	0.00	(1,038,011.16)	(8,712.64)	(1,046,723.80)
12/27/2021 12/28/2021	912828M80	Bought	Government Bonds	USA TREASURY 2% 30NOV2022	11/30/2022	500,000.00	0.00	(507,677.46)	(769.23)	(508,446.69)
12/27/2021 12/28/2021	912828YM6	Bought	Government Bonds	USA TREASURY 1.5%	10/31/2024	1,000,000.00	0.00	(1,014,925.23)	(2,403.31)	(1,017,328.54)
12/27/2021 12/28/2021	912828Z29	Bought	Government Bonds	USA TREASURY 1.5%	01/15/2023	1,000,000.00	0.00	(1,011,526.79)	(6,766.30)	(1,018,293.09)

TRANSACTION REPORT

For the period December 1, 2021 - December 31, 2021

Trade date Settle date	Cusip	Transaction	Sec type	Description	Maturity	Par value or shares	Realized gain(loss)	Principal	Interest	Transaction total
12/27/2021 12/28/2021	912828ZD5	Bought	Government Bonds	USA TREASURY 0.5%	03/15/2023	1,000,000.00	0.00	(1,000,315.85)	(1,436.46)	(1,001,752.31)
12/27/2021 12/28/2021	912828ZX1	Bought	Government Bonds	USA TREASURY 0.125%	06/30/2022	1,000,000.00	0.00	(999,808.04)	(614.80)	(1,000,422.84)
12/31/2021 12/31/2021	912828ZX1	Income	Government Bonds	USA TREASURY 0.125%	06/30/2022	1,000,000.00	0.00	0.00	625.00	625.00
12/31/2021		Income	Cash and Cash Equivalents	Cash		0.00	0.00	0.00	1.04	1.04

ADDITIONAL INFORMATION

As of December 31, 2021

Past performance is not a guide to future performance. The value of investments and any income from them will fluctuate and is not guaranteed (this may partly be due to exchange rate changes) and investors may not get back the amount invested. Transactions in foreign securities may be executed and settled in local markets. Performance comparisons will be affected by changes in interest rates. Investment returns fluctuate due to changes in market conditions. Investment involves risk, including the possible loss of principal. No assurance can be given that the performance objectives of a given strategy will be achieved. The information contained herein is for your reference only and is being provided in response to your specific request and has been obtained from sources believed to be reliable; however, no representation is made regarding its accuracy or completeness. This document must not be used for the purpose of an offer or solicitation in any jurisdiction or in any circumstances in which such offer or solicitation is unlawful or otherwise not permitted. This document should not be duplicated, amended, or forwarded to a third party without consent from Insight. This is a marketing document intended for professional clients only and should not be made available to or relied upon by retail clients.

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Where indicated, performance numbers used in the analysis are gross returns. The performance reflects the reinvestment of all dividends and income. INA charges management fees on all portfolios managed and these fees will reduce the returns on the portfolios. For example, assume that \$30 million is invested in an account with INA, and this account achieves a 5.0% annual return compounded monthly, gross of fees, for a period of five years. At the end of five years that account would have grown to \$38,500,760 before the deduction of management fees. Assuming management fees of 0.25% per year are deducted monthly from the account, the value at the end of the five year period would be \$38,022,447. Actual fees for new accounts are dependent on size and subject to negotiation. INA's investment advisory fees are discussed in Part 2A of its Form ADV.

Unless otherwise stated, the source of information is Insight. Any forecasts or opinions are Insight's own at the date of this document (or as otherwise specified) and may change. Material in this publication is for general information only and is not advice, investment advice, or the recommendation of any purchase or sale of any security. Insight makes no implied or expressed recommendations concerning the manner in which an account should or would be handled, as appropriate investment strategies depend upon specific investment guidelines and objectives and should not be construed to be an assurance that any particular security in a strategy will remain in any fund, account, or strategy, or that a previously held security will not be repurchased. It should not be assumed that any of the security transactions or holdings referenced herein have been or will prove to be profitable or that future investment decisions will be profitable or will equal or exceed the past investment performance of the securities listed.

Please compare the information provided in this statement to the information provided in the statement received from your Custodian.

For trading activity the Clearing broker will be reflected. In certain cases the Clearing broker will differ from the Executing broker.

In calculating ratings distributions and weighted average portfolio quality, Insight assigns U.S Treasury and U.S agency securities a quality rating based on the methodology used within the respective benchmark index. When Moody's, S&P and Fitch rate a security, Bank of America and Merrill Lynch indexes assign a simple weighted average statistic while Barclays indexes assign the median statistic. Insight assigns all other securities the lower of Moody's and S&P ratings.

Information about the indices shown here is provided to allow for comparison of the performance of the strategy to that of certain well-known and widely recognized indices. There is no representation that such index is an appropriate benchmark for such comparison. You cannot invest directly in an index and the indices represented do not take into account trading commissions and/or other brokerage or custodial costs. The volatility of the indices may be materially different from that of the strategy. In addition, the strategy's holdings may differ substantially from the securities that comprise the indices shown.

The ICE BofA 3 Month US T-Bill index is an unmanaged market index of U.S. Treasury securities maturing in 90 days that assumes reinvestment of all income.

The ICE BofA 6 Month US T-Bill index measures the performance of Treasury bills with time to maturity of less than 6 months.

The ICE BofA 1-Year US Treasury Index is a one-security index comprised of the most recently issued 1-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 1-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 3-Year US Treasury Index is a one-security index comprised of the most recently issued 3-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 3-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 5-Year US Treasury Index is a one-security index comprised of the most recently issued 5-year US Treasury note. The index is rebalanced monthly. In order to qualify for inclusion, a 5-year note must be auctioned on or before the third business day before the last business day of the month.

The ICE BofA 1-3 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than three years.

The ICE BofA 1-5 US Year Treasury Index is an unmanaged index that tracks the performance of the direct sovereign debt of the U.S. Government having a maturity of at least one year and less than five years.

ADDITIONAL INFORMATION

As of December 31, 2021

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SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Human Resources

Prepared by:
Cristine Alilovich, Assistant City Manager

City Manager Approval: _____

TOPIC: FIRE MID-MANAGEMENT PERSONNEL CHANGES

SUBJECT: RESOLUTION APPROVING THE RECLASSIFICATION OF ONE FIRE DEPARTMENT BATTALION CHIEF POSITION TO A DEPUTY FIRE CHIEF AND ADD A DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT POSITION

RECOMMENDATION: Adopt Resolution.

BACKGROUND:

The San Rafael Fire Department provides all-hazard Fire/Paramedic service delivery including structural/wildland firefighting, advanced (ALS) and basic life support (BLS) emergency field care and transport, hazardous material incident initial response, marine emergency response, fire prevention, and public education.

The Department operates seven fire stations with 69 operational firefighters, 13 prevention/emergency personnel, and three administrative staff. This includes the administrative and operational oversight of the Marinwood Fire Department. The Department serves nearly 70,000 residents in San Rafael, Marinwood, and portions of unincorporated Marin. Management within the Fire Department is separated between Operations, Fire Prevention, and Emergency Management, all reporting to the Fire Chief.

ANALYSIS:

Staff have evaluated the organizational structure and design of the Fire Department and determined that two changes are needed in order to keep pace with the service demands of the community, in particular with the recent high priority placed on fire prevention and increased volume of emergency medical calls.

Staff are recommending the reclassification of one of the Battalion Chiefs (BC) positions (which serves in a non-operational/administrative capacity), to a Deputy Fire Chief position.

Deputy Fire Chief

Staff conducted a review of twelve, similar sized local fire agencies to better understand their organizational structures and how they compare to our Fire Department. The results showed that the City of San Rafael Fire Department is the only Fire Department that does not have an Operational Deputy Fire Chief position. Smaller departments with fewer personnel and fire stations all have Deputy Fire Chief

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

positions, leaving San Rafael as an outlier and at a disadvantage operationally and from a retention and recruitment standpoint. The City currently employs a retired annuitant whose responsibilities are more closely aligned with a Fire Marshal. This position does not directly support fire suppression and emergency medical service operations.

Succession planning within a public safety organization suggests that there should be a path that encourages and supports upward mobility within the organizational structure. In the absence of such a hierarchy, limited opportunities to train, educate, mentor, and prepare future leaders within the ranks result. The limited opportunities can have a debilitating effect on otherwise motivated employees to pursue employment or tenure with an organization that peaks at the rank of BC. Battalion Chief Officers require one additional step toward the path to executive leadership and this is best accomplished through the creation of a Deputy Fire Chief position within the organization. The existence of this position serves to connect the senior staff to the executive staff, while maintaining a supplemental staffing “relief valve” in the event of a BC long-term absence.

The reclassification of a Battalion Chief position to a Deputy Fire Chief position will provide professional level administrative staffing and result in the three current Battalion Chiefs reporting directly to the Deputy Fire Chief. This structure improves span of control and allows the Fire Chief to more effectively manage the Operations, Fire Prevention, and Emergency Management Divisions, and appoint an acting Chief in their absence.

Deputy Director of Emergency Management

Currently, the City employs one fixed-term Emergency Manager. This position was originally formed to improve the City’s disaster and emergency preparedness and prepare the community for a multitude of risks including, natural disasters, human-made catastrophes, pandemic conditions, transportation accidents, civil demonstrations/unrest, utility provider generated power disruptions, and more.

The position prepares the City for disasters and emergencies through long range planning, community training, and training of City personnel. This includes management of the day to day operations within the City’s Emergency Operation Center (EOC) when active. This task involves coordination with local, state, and a federal agencies and partners, managing City personnel within the EOC and ensuring critical needs are met during an emergency. As we’ve seen during recent years between Public Safety Power Shutoffs (PSPS), wildfires, storms, and a pandemic, it is critical that the City remain prepared and ready to respond to a host of emergency situations, all of which, are coordinated by the Emergency Manager.

This position was created as fixed term, due to financial limitations to fund an ongoing position. The goal of the fixed term position was to have the Emergency Manager develop the plans and programs necessary for the City to implement, which would be implemented by existing City staff. Based on what we’ve learned through this pandemic, it is clear that committing ongoing funds to this position is critical, especially in light of the additional volume of work required to address wildfire prevention and preparedness.

In March 2020, Marin voters including San Rafael residents, voted to approve Measure C, a parcel tax intended to fund wildfire prevention and preparedness efforts. The Marin Wildfire Prevention Authority (MWPA) was created to administer and coordinate Measure C programs and funds. When this was the done, the City moved all MWPA functions under the supervision of the Emergency Manager. This included Vegetation Management, Defensible Space, and Wildfire Mitigation and Emergency Preparedness. Responsibilities include hiring, training, supervising, and overseeing all MWPA related projects in the San Rafael. This expanded role and the subsequent benefit realized by the work done through the MWPA funding have been instrumental in increasing the City’s wildfire preparedness while decreasing the risk of devastating wildfires.

Due to the increased responsibility of this position, the City hired a consultant, Municipal Resource Group (MRG) to conduct a staffing and organizational assessment of the City’s Emergency Services. MRG reviewed program and staffing needs, developed staffing classifications and compensation, and prepared findings and recommendations as part of their scope. Analysis was conducted to review the labor market and relationships within the City’s Fire Department. The recommendation from the assessment was to create a full-time, permanent Deputy Director of Emergency Management position within the Fire Department to oversee emergency operations and the MWPA wildfire program, which will allow the City to continue to be prepared and ready to respond to all emergencies currently and in the future. The change from Emergency Manager to Deputy Director of Emergency Management is justified by the increased roles and responsibilities the position will assume moving forward.

Summary of recommendations

Staff recommends that one BC position be reclassified as a Deputy Fire Chief. The BCs are currently represented by the San Rafael Fire Chief Officers’ Association (SRFCOA) and this position would become a non-represented mid-management position and not a represented association position. The SRFCOA were properly noticed regarding this change and are in support of this reclassification request. If approved, the department would hold an open recruitment to fill the position and all qualified internal candidates would be encouraged to apply for the position.

Staff also recommends the addition of one Deputy Director of Emergency Management, which would be non-represented mid-management. The current Emergency Manager (fixed-term) position would be eliminated with cost savings from that position partially funding the new position. The balance of the funding for the new position would primarily be funded by Measure C funds in recognition of the additional duties managing the MWPA program.

Staff recommends that both positions be added to the mid-management salary schedule. All relevant attachments including job classification/descriptions and salary schedules can be found in the attachments to this report.

FISCAL IMPACT:

The fiscal impact of the reclassification to a Deputy Fire Chief and the addition of a full-time Deputy Director of Emergency Management position is \$11,139 and \$117,451 respectively, for a total of \$128,590. Funding is available between the General Fund and MWPA funds for both changes with the breakdown outlined in Table 1. There are sufficient funds within the Fire Department’s general and MWPA funds and new appropriations are not required.

Table 1: Fiscal Impact

Position Changes	FTE	General Fund	MWPA Fund
Delete (Current):			
Battalion Chief (SRFCOA)	1.0	\$366,616	\$0
Emergency Management Manager (fixed-term)	1.0	\$165,185	\$0
Add/Reclassify to:			
Deputy Fire Chief (Mid-management)	1.0	\$377,755	\$0
Deputy Director of Emergency Management	1.0	\$169,582	\$113,054
Net:	0.0	\$15,536	\$113,054

OPTIONS:

The City Council has the following options to consider in this matter:

- Staff's recommendation to adopt the resolution.
- Adopt resolution with modifications.
- Direct staff to return with more information.
- Take no action.

RECOMMENDED ACTION: Adopt Resolution to approve the reclassification of a Battalion Chief position to a Deputy Fire Chief and add a Deputy Director of Emergency Management position.

ATTACHMENTS:

1. Resolution to approve the reclassification of a Battalion Chief Position to a Deputy Fire Chief and add a Deputy Director of Emergency Management position
2. Deputy Fire Chief Job Description
3. Deputy Director of Emergency Management Job Description
4. Unrepresented Mid-Management salary schedule

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL APPROVING THE RECLASSIFICATION OF ONE FIRE DEPARTMENT BATTALION CHIEF POSITION TO A DEPUTY FIRE CHIEF AND ADD A DEPUTY DIRECTOR OF EMERGENCY MANAGEMENT POSITION

WHEREAS, the Administrative Battalion Chief provides Emergency Medical Services (EMS) training and oversight which are critical functions that are required for a department with 12 probationary firefighter/paramedics; and

WHEREAS, in addition to EMS training and oversight, the current Administrative Battalion Chief position's duties and responsibilities have increased since the position was created in 2017; and

WHEREAS, in addition to the current Administrative Battalion Chief position duties, a Deputy Fire Chief would provide project management and long-term planning skills, including implementation of findings from the upcoming EMS System study; and

WHEREAS, staff has reviewed other similarly sized fire departments and found that the City of San Rafael Fire Department lacks a Deputy Fire Chief position, between the Battalion Chiefs and Fire Chief, a position found in most similarly sized fire departments, that would increase efficiency of the overall command structure; and

WHEREAS, a reclassification of a Battalion Chief to Deputy Fire Chief will assist in recruiting and retaining qualified personnel by providing promotional opportunities within the department; and

WHEREAS, the City currently employs one fixed-term Emergency Management Manager; and

WHEREAS, in March 2020, Marin voters approved Measure C, a parcel tax intended to fund wildfire prevention and preparedness efforts; and

WHEREAS, a Deputy Director of Emergency Management would oversee the implementation of Measure C funding and continue to prepare the City for all emergencies; and

WHEREAS, the City hired Municipal Resource Group (MRG) to conduct an organizational assessment of the City's Emergency Services and their recommendations is the basis of the change to a full-time position;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of San Rafael hereby approves the reclassification of one Battalion Chief to a Deputy Fire Chief and the addition of one full-time Deputy Director of Emergency Management;

BE IT FURTHER RESOLVED, that the City Council of the City of San Rafael hereby approves the amendments to the mid-management salary schedule as recommended by staff and attached to the staff report.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of said City on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

**City of San Rafael
Job Class Specification**

Job Title: Deputy Fire Chief

SUMMARY

Under direction of the Fire Chief of the San Rafael Fire Department, the Deputy Chief (DC) plans, organizes, and directs, through subordinate supervisors, a major division of the fire department; and performs related duties as required.

DISTINGUISHING CHARACTERISTICS

This is an executive-level sworn, public safety officer classification with responsibility for a major division of the Fire Department for the Operations Division. The Deputy Chief exercises independent judgment in interpreting and enforcing policies of the San Rafael Fire Department. The Deputy Chief is distinguished from the Battalion Chief in that the Deputy Chief is responsible for an operations or administrative division, whereas the Battalion Chief manages a district of several engine and truck companies supervised by Captains. The Deputy Chief is distinguished from the Fire Chief in that the latter has responsibility for the overall management of the Fire Department. The Deputy Chief is a member of the Department's executive management team. The Deputy Chief receives direction from the Fire Chief and exercises direction over Battalion Chiefs, subordinate supervisors, and administrative personnel. When necessary, the Deputy Chief will be required to provide coverage for Battalion Chief vacancies on an overtime basis.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. This list is intended to be illustrative and does not represent an exhaustive list of duties and responsibilities. Incumbents may not perform all duties and responsibilities listed. Other duties may be assigned.

- Plan, organize, coordinate, administer and direct the work of a division of the San Rafael Fire Department.
- Develop, direct, and monitor the goals, objectives, policies, procedures, and work standards for the division.
- Plan, delegate, and oversee execution of division programs and activities.
- Direct the preparation and administration of a division budget.
- Interpret department rules and regulations and MOU provisions; participate in labor negotiations.
- Prepare or review reports for city management, boards, commissions, and other organizations.
- Prepare, review, and approve reports and various correspondence.
- Counsel subordinates on performance and deficiencies.
- Identify training needs and evaluate existing training programs; develop, conduct, and observe drills and training programs.
- Make presentations at City meetings, boards, and various community meetings.
- Manage human resources.
- Delegate, coordinate and follow-up on work of subordinates.
- Respond to citizen complaints or inquiries by phone, video, or in person.
- Direct emergency operations using fire ground strategy and tactics and Incident Command System (ICS) principles.
- Implement emergency plans and post-emergency incident evaluation.
- Participate in joint labor-management and safety committees and make recommendations to the Fire Chief.

- Administer department-wide inspection programs, pre-fire planning, equipment services, facilities maintenance, in-service training, and community relations.
- Oversight of Nurse Educator and EMS Best Practices (or similarly assigned) personnel.
- Evaluates the need for new equipment and supplies and prepares and presents budget requests related to EMS and Operational needs.
- Serve as a liaison to County and Health Maintenance Organizations and Emergency Medical Services staff including the Medical Director.
- Reviews departmental Emergency Medical Services performance and effectiveness; formulates programs and/or policies to align with County and State requirements.
- Research and develop special programs and policies.
- Delegate liaison duties for other agencies and media, including requests for mutual aid in response to emergency situations.
- Drive SFRD vehicles in accordance with California Vehicle Code and SFRD regulations.
- Maintain a high state of morale through a presence of leadership, authority, and direction.
- Participation in countywide Operations Section activities and goals.
- Participate in EOC functions as needed during major emergency incidents.

Knowledge of:

- Extensive technical knowledge of the principles, techniques, strategy, materials, and equipment used in fire suppression, specialized response, safety, investigation, and prevention.
- Demonstrated ability and experience managing, planning, coordinating, and administering for an EMS transport agency (public or private).
- Extensive knowledge of principles of goal setting, consensus building, and leadership.
- Extensive knowledge of principles, modern practices, techniques, and equipment used in all-risk mitigation and emergency response.
- Acquired knowledge and application of the City's Together San Rafael guiding principles, San Rafael Fire Department mission statement, philosophy, short and long-term objectives, resources, policies, rules, regulations, radio procedures, and professional standards.
- Acquired knowledge of San Rafael city geography, map correspondence, and jurisdiction boundaries.

Ability to:

- Ability to apply and utilize SFRD resources and external resources provided through the mutual aid system.
- Ability to analyze problems, exercise independent judgment within general policy guidelines, and adopt an effective course of action under stressful conditions; to make command decisions.
- Ability to plan, organize, direct, lead, and coordinate a large group of employees through subordinate supervisors.
- Ability to employ knowledge and interpersonal skills to quickly obtain essential information from other officers and the community.
- Ability to drive vehicle safely to and from emergency situations.
- Ability to use vehicle radio, and satellite or cellular telephone to verbally communicate with Marin County Sheriff's Office Dispatch Center, other stations and personnel, employing knowledge of SFRD radio broadcast procedures, City geography, and most expedient routes to emergency sites.
- Ability to manage time effectively.
- Demonstrated ability to supervise, train, mentor, and evaluate personnel.
- Ability to prepare clear and concise reports using a personal computer.

- Ability to make presentations to various groups and organizations.
- Ability to communicate effectively in both oral and written form.
- Ability to establish effective and collaborative relationships with those contacted in the performance of duties.

EDUCATION AND/OR EXPERIENCE:

Any combination of education and experience that would provide the required knowledge, skill and ability outlined above is qualifying. A typical way to obtain such knowledge, skill and ability is:

A Bachelor's degree or higher is preferred, and evidence of advanced education and continued professional training and development is highly desirable. Must possess a track record of demonstrated leadership, proven accomplishments, and superior performance in the operation of fire services at a Chief Officer level in a progressive fire agency comparable to or larger than San Rafael. Experience serving an urban, ethnically, and culturally diverse community is essential. Experience serving for a minimum of 3 years as a Battalion, Division, or Deputy Fire Chief (or any successive combination thereof) is required.

LICENSE/CERTIFICATES:

Incumbent in this position is expected to operate automotive vehicles in the performance of assigned duties. Individuals appointed will be required to maintain a valid Class C California Driver's License with Firefighter Endorsement while employed.

Evidence of prior/recent ALS certification or comparable demonstrated administrative experience managing a public or private transport agency is desired.

PHYSICAL DEMANDS:

While performing the duties of this job, the employee is regularly required to stand; walk; sit; use hands to finger, handle, or feel; and talk or hear. The employee frequently is required to reach with hands and arms and climb or balance. The employee is occasionally required to stoop, kneel, crouch, or crawl and taste or smell. The employee must regularly lift and/or move up to 10 pounds and occasionally lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIRONMENT:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions. While performing the duties of this job, the employee is frequently exposed to moving mechanical parts and outdoor weather conditions and frequently works evenings or weekends and inside environmental conditions. The employee is occasionally exposed to video display and occasionally works with use of their personal vehicle. The noise level in the work environment is usually moderate.

Prepared By: Fire
Prepared Date: December 2021
Bargaining Unit: Mid-Management
Approved:

**City of San Rafael
Job Class Specification**

Job Title: Deputy Director of Emergency Management

SUMMARY

Under the direction of the City Manager or designee and Fire Chief, the Deputy Director of Emergency Management manages all aspects of the City's emergency organization in conformity with local, State and Federal all-risk requirements. The Deputy Director collaborates with the City Manager, Assistant City Manager, Police Chief, Fire Chief, and other Executive Team members to develop programs and policies for the effective development, planning, control, and evaluation of City and departmental emergency management. The Deputy Director coordinates and advises on various emergency management activities and operations of the City, which may include procedural and organizational improvements, public outreach, cross-departmental, City-wide, or regional coordination, technology review or other high-level management functions. The Deputy Director works to educate and empower the whole community to prepare for disasters. The Deputy Director manages and directs division staff involved in defensible space, vegetation management, open space management and community outreach. The Deputy Director also interfaces regularly with Marin Wildfire Prevention Authority (MWPA) including managing staff and programs funded by MWPA. The Deputy Director provides support to the City Manager, Assistant City Manager and Fire Chief regarding emergency management projects, policies, goals, and priorities.

DISTINGUISHING CHARACTERISTICS

This single position class is characterized by the responsibility for leading the City's emergency management program including planning, preparation, mitigation, response and recovery. The incumbent may represent the City Manager (or designee) / Fire Chief on matters of emergency management or as otherwise authorized. As such, the incumbent uses considerable independent judgment and discretion in the performance of duties. The Deputy Director provides leadership and coordinates a comprehensive emergency management process in order to maintain a high level of readiness, including support of efforts such as emergency preparedness training and guidance to help reduce the loss of life and property not only of City departments but the whole community.

SUPERVISION RECEIVED AND EXERCISED

Receives general direction from the City Manager (or designee) and Fire Chief under a matrixed supervision model. Primary supervisor will be the Fire Chief with overall program and policy direction coming from the City Manager or designee. Exercises direction supervision over management, professional, technical and administrative personnel.

ESSENTIAL DUTIES AND RESPONSIBILITIES include the following. This list is intended to be illustrative and does not represent an exhaustive list of duties and responsibilities. Incumbents may not perform all duties and responsibilities listed. Other duties may be assigned.

- Assists the City Manager (or designee) / Fire Chief in establishing and achieving citywide priorities, goals, and objectives for the emergency management program; assists the City Manager (or designee) / Fire Chief in strategic and long-range planning; sets milestones and implements quantifiable measurements to measure success of projects.
- Oversees emergency management services and programs; plans, organizes directs and evaluates emergency preparedness functions and programs; studies and analyzes the community's vulnerability to disaster and response capabilities; conducts systematic risk assessments; develops and implements comprehensive, long-term disaster mitigation plans and programs; coordinates with other agencies and regional efforts.
- Assures conformity of City OES programs with County, State and Federal requirements; monitors, reviews, and interprets changes in federal or state laws or regulations that impact the delivery of

emergency management programs and/or services and directs the implementation of changes to programs and services.

- Coordinates with the City Manager, Executive Team members, and City staff to support the Emergency Operations Center (EOC) through a roster of City employees and training/exercises.
- Serves as chief staff advisor during disaster response; may serve as Director of the City Emergency Operations Center and may serve as an on-call Staff Duty Officer.
- Investigates, researches and institutes best practices in emergency management;
- Provides guidance to department heads and departmental managers on emergency management matters and best practices.
- Plans, organizes, coordinates, supervises, and evaluates the performance of management, professional and technical personnel engaged in assigned emergency management activities, directly or through subordinate levels of supervision; establishes work priorities and performance standards; ensures compliance with City rules and policies; prioritizes resources and assignments.
- Interviews, selects, and ensures appropriate training and supervision of assigned staff; evaluates performance in support of the division's overall objectives; directs, coaches, and guides staff; advises subordinate managers and supervisors on appropriate handling of employee performance issues; oversees the professional development of assigned managers and staff.
- Participates in the development, and may oversee the preparation, of the division's annual budget and operational improvement plans; ensures appropriate allocation of resources; manages funding received from MWPA and ensures accountability of funding uses; researches, analyzes, and advises the City Manager (or designee) / Fire Chief of specific costs and recommendations for programs and services.
- Conducts high priority and complex work assignments; drafts and presents reports and recommendations; analyzes programs and services to continually seek program and process improvements; conducts presentations and trainings.
- Establishes and maintains liaison with appropriate governmental bodies, firms, organizations or individuals to assist in achieving City objectives and ensuring compliance with appropriate laws in emergency management.
- Prepares reports and analysis for City Council and City Staff; may represent the City before the City Council.
- Works with other City departments to advance emergency management needs; serves on committees to represent the City's needs; represents the City to external stakeholders, including community-based organizations, schools, and the public; and acts as a liaison with department heads, employees, the media, and the public.
- Supports, develops and implements public education and engagement programs regarding emergency management and various hazards including evacuation planning and preparation; review and resolves high levels complaints received from the community.
- Coordinates with Emergency Management staff in other cities and special districts on matters of joint concern.
- Performs related duties as required.

Knowledge of:

- Knowledge of Federal, State, and other codes, laws, regulations, and protocols related to disaster and emergency management.
- Knowledge of California emergency management practices and procedures.
- Modern equipment and systems utilized in emergency management including the Incident Command System (ICS), Standardized Emergency Management System (SEMS), and Geographic Information Systems (GIS), or equivalent systems.
- Conditions leading to major emergencies, their effects, mitigation, response lines, resource requirements, damage assessment, recovery methods, and safety survival procedures.
- Operation of an Emergency Operations Center.
- Federal and state emergency services programs and funding procedures
- Budgeting principles and practices.

- Methods, practices and procedures involved in the development of strategic plans.
- Long-range planning principles and practices.
- Knowledge of principles of supervision.
- Principles of management.
- Principles of organization, administration, and personnel management.
- Selecting and paying consultants.

Ability to:

- Organize, implement and direct emergency management operations and activities.
- Ability to work well with people, to research information, and to collect and analyze data.
- Ability to achieve the professional confidence of others and to elicit cooperation from others.
- Ability to coordinate a variety of complex tasks simultaneously.
- Ability to use public presentation and writing skills to communicate effectively and to assimilate and understand information, in a manner consistent with the essential job functions.
- Strong mediation and conflict resolution skills.
- Ability to make sound decisions in a manner consistent with the essential job functions.
- Ability to maintain mental capacity which allows the capability to exercise sound judgment and rational thinking under dangerous and stressful circumstances, evaluate various options and alternatives and choose an appropriate and reasonable course of action, and demonstrate intellectual capabilities during difficult situations.
- Interpret and apply Federal, State and local laws.
- Communicate effectively, verbally and in writing.
- Maintain a flexible, cooperative customer service attitude and work well with other departments.
- Manage a cadre of emergency management professionals and paraprofessionals.
- Manage a budget and supervise staff.

EDUCATION AND/OR EXPERIENCE:

Any combination of education and experience that would provide the required knowledge, skill and ability outlined above is qualifying. A typical way to obtain such knowledge, skill and ability is:

A Bachelor’s Degree in emergency management, public safety, business, or public administration, or a closely related field. A Master’s Degree in emergency management is desirable. Six years of increasingly responsible experience performing emergency management, law enforcement, fire/EMS or related field preferably including supervisory/management experience. Completion of required Federal Emergency Management Agency (FEMA) courses: IS 100, 200, 300, 700, and 800. Possession of an Associate or Certified Emergency Manager Credential from the International Association of Emergency Managers or similar State credential is desirable. Ability to obtain a valid California Driver’s License upon hire

PHYSICAL DEMANDS

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to sit and talk or hear. The employee frequently is required to stand; walk; use hands to finger, handle, or feel; and reach with hands and arms. The employee is occasionally required to climb or balance and stoop, kneel, crouch, or crawl. The employee must frequently lift and/or move up to 10 pounds and occasionally lift and/or move up to 50 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception, and ability to adjust focus.

WORK ENVIRONMENT

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee regularly works in indoor conditions and regularly works near video display. The employee is exposed to outside weather conditions from time to time. The noise level in the work environment is usually moderate.

Prepared By: MRG Consulting
Prepared Date: December 2021
Bargaining Unit: Mid-Management
Approved:
Revised Date:
Revised By:

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective January 18, 2022

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 9,319	\$ 9,785	\$ 10,274	\$ 10,788	\$ 11,327
2400	Assistant Library and Recreation Director	\$ 10,600	\$ 11,130	\$ 11,686	\$ 12,271	\$ 12,884
2202	Assistant Public Works Director / City Engineer	\$ 12,029	\$ 12,631	\$ 13,262	\$ 13,925	\$ 14,621
2302	Chief Building Official	\$ 11,179	\$ 11,738	\$ 12,325	\$ 12,941	\$ 13,588
4203	Civic Design Manager	\$ 9,910	\$ 10,405	\$ 10,926	\$ 11,472	\$ 12,045
2122	Code Enforcement Supervisor	\$ 7,553	\$ 7,930	\$ 8,327	\$ 8,743	\$ 9,180
4204	Data & Infrastructure Manager	\$ 10,974	\$ 11,522	\$ 12,098	\$ 12,703	\$ 13,338
1105	Deputy City Attorney I	\$ 10,131	\$ 10,637	\$ 11,169	\$ 11,728	\$ 12,314
1109	Deputy City Attorney II	\$ 11,170	\$ 11,728	\$ 12,315	\$ 12,931	\$ 13,577
TBD	Deputy Director of Emergency Management	\$ 12,029	\$ 12,631	\$ 13,262	\$ 13,925	\$ 14,621
TBD	Deputy Fire Chief	\$ 13,556	\$ 14,234	\$ 14,946	\$ 15,693	\$ 16,478
2120	Deputy Fire Marshall	\$ 9,515	\$ 9,991	\$ 10,490	\$ 11,015	\$ 11,566
2135	Deputy Public Works Director	\$ 10,929	\$ 11,475	\$ 12,049	\$ 12,651	\$ 13,284
7313	Economic Development Coordinator	\$ 9,181	\$ 9,640	\$ 10,122	\$ 10,628	\$ 11,159
2128	Economic Development Manager	\$ 10,095	\$ 10,600	\$ 11,130	\$ 11,686	\$ 12,271
7117	Emergency Services Manager	\$ 8,957	\$ 9,405	\$ 9,875	\$ 10,369	\$ 10,888
2138	Housing Manager	\$ 10,330	\$ 10,847	\$ 11,389	\$ 11,959	\$ 12,557
2107	Human Resources Operations Manager	\$ 9,041	\$ 9,493	\$ 9,968	\$ 10,466	\$ 10,989
2208	Operations and Maintenance Manager	\$ 9,856	\$ 10,349	\$ 10,867	\$ 11,410	\$ 11,981
2208	Operations and Maintenance Manager (SRSD)	\$ 9,856	\$ 10,349	\$ 10,867	\$ 11,410	\$ 11,981
2703	Parking Services Manager	\$ 9,181	\$ 9,640	\$ 10,122	\$ 10,628	\$ 11,159
7312	Parks Superintendent	\$ 9,000	\$ 9,450	\$ 9,923	\$ 10,419	\$ 10,940
2116	Planning Manager	\$ 10,330	\$ 10,847	\$ 11,389	\$ 11,959	\$ 12,557
4206	Product Manager	\$ 9,910	\$ 10,405	\$ 10,926	\$ 11,472	\$ 12,045
8103	Recreation Supervisor	\$ 7,694	\$ 8,079	\$ 8,483	\$ 8,907	\$ 9,352
2206	Senior Civil Engineer (SRSD)	\$ 10,639	\$ 11,171	\$ 11,729	\$ 12,316	\$ 12,932
7317	Senior Code Enforcement Supervisor	\$ 8,337	\$ 8,753	\$ 9,191	\$ 9,651	\$ 10,133
2101	Senior Management Analyst I	\$ 7,382	\$ 7,751	\$ 8,139	\$ 8,546	\$ 8,973
2105	Senior Management Analyst II	\$ 8,789	\$ 9,229	\$ 9,690	\$ 10,175	\$ 10,683
2203	Senior Project Manager	\$ 9,171	\$ 9,629	\$ 10,111	\$ 10,616	\$ 11,147
8102	Senior Recreation Supervisor	\$ 8,492	\$ 8,917	\$ 9,363	\$ 9,831	\$ 10,322
7310	Sewer Maintenance Superintendent	\$ 9,000	\$ 9,450	\$ 9,923	\$ 10,419	\$ 10,940
7311	Street Maintenance Superintendent	\$ 9,000	\$ 9,450	\$ 9,923	\$ 10,419	\$ 10,940
2150	Sustainability Program Manager	\$ 7,408	\$ 7,778	\$ 8,167	\$ 8,576	\$ 9,005

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective July 1, 2022

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 9,692	\$ 10,177	\$ 10,685	\$ 11,220	\$ 11,781
2400	Assistant Library and Recreation Director	\$ 10,971	\$ 11,519	\$ 12,095	\$ 12,700	\$ 13,335
2202	Assistant Public Works Director / City Engineer	\$ 12,450	\$ 13,073	\$ 13,726	\$ 14,413	\$ 15,133
2302	Chief Building Official	\$ 11,570	\$ 12,149	\$ 12,756	\$ 13,394	\$ 14,064
4203	Civic Design Manager	\$ 10,068	\$ 10,572	\$ 11,100	\$ 11,655	\$ 12,238
2122	Code Enforcement Supervisor	\$ 7,674	\$ 8,057	\$ 8,460	\$ 8,883	\$ 9,327
4204	Data & Infrastructure Manager	\$ 11,149	\$ 11,707	\$ 12,292	\$ 12,907	\$ 13,552
1105	Deputy City Attorney I	\$ 10,485	\$ 11,010	\$ 11,560	\$ 12,138	\$ 12,745
1109	Deputy City Attorney II	\$ 11,561	\$ 12,139	\$ 12,746	\$ 13,383	\$ 14,052
TBD	Deputy Director of Emergency Management	\$ 12,450	\$ 13,073	\$ 13,726	\$ 14,413	\$ 15,133
TBD	Deputy Fire Chief	\$ 14,099	\$ 14,804	\$ 15,544	\$ 16,321	\$ 17,137
2120	Deputy Fire Marshall	\$ 9,848	\$ 10,340	\$ 10,857	\$ 11,400	\$ 11,970
2135	Deputy Public Works Director	\$ 11,311	\$ 11,877	\$ 12,470	\$ 13,094	\$ 13,749
7313	Economic Development Coordinator	\$ 9,502	\$ 9,977	\$ 10,476	\$ 11,000	\$ 11,550
2128	Economic Development Manager	\$ 10,448	\$ 10,971	\$ 11,519	\$ 12,095	\$ 12,700
7117	Emergency Services Manager	\$ 9,271	\$ 9,734	\$ 10,221	\$ 10,732	\$ 11,269
2138	Housing Manager	\$ 10,743	\$ 11,281	\$ 11,845	\$ 12,437	\$ 13,059
2107	Human Resources Operations Manager	\$ 9,403	\$ 9,873	\$ 10,366	\$ 10,885	\$ 11,429
2208	Operations and Maintenance Manager	\$ 10,251	\$ 10,763	\$ 11,301	\$ 11,867	\$ 12,460
2208	Operations and Maintenance Manager (SRSD)	\$ 10,251	\$ 10,763	\$ 11,301	\$ 11,867	\$ 12,460
2703	Parking Services Manager	\$ 9,502	\$ 9,977	\$ 10,476	\$ 11,000	\$ 11,550
7312	Parks Superintendent	\$ 9,360	\$ 9,829	\$ 10,320	\$ 10,836	\$ 11,378
2116	Planning Manager	\$ 10,743	\$ 11,281	\$ 11,845	\$ 12,437	\$ 13,059
4206	Product Manager	\$ 10,068	\$ 10,572	\$ 11,100	\$ 11,655	\$ 12,238
8103	Recreation Supervisor	\$ 7,964	\$ 8,362	\$ 8,780	\$ 9,219	\$ 9,680
2206	Senior Civil Engineer (SRSD)	\$ 11,011	\$ 11,562	\$ 12,140	\$ 12,747	\$ 13,384
7317	Senior Code Enforcement Supervisor	\$ 8,470	\$ 8,893	\$ 9,338	\$ 9,805	\$ 10,295
2101	Senior Management Analyst I	\$ 7,677	\$ 8,061	\$ 8,464	\$ 8,888	\$ 9,332
2105	Senior Management Analyst II	\$ 9,141	\$ 9,598	\$ 10,078	\$ 10,582	\$ 11,111
2203	Senior Project Manager	\$ 9,446	\$ 9,918	\$ 10,414	\$ 10,935	\$ 11,481
8102	Senior Recreation Supervisor	\$ 8,790	\$ 9,229	\$ 9,690	\$ 10,175	\$ 10,684
7310	Sewer Maintenance Superintendent	\$ 9,360	\$ 9,829	\$ 10,320	\$ 10,836	\$ 11,378
7311	Street Maintenance Superintendent	\$ 9,360	\$ 9,829	\$ 10,320	\$ 10,836	\$ 11,378
2150	Sustainability Program Manager	\$ 7,704	\$ 8,090	\$ 8,494	\$ 8,919	\$ 9,365

SAN RAFAEL UNREPRESENTED MID-MANAGEMENT

SALARY SCHEDULE

Effective July 1, 2023

Grade	Position	A	B	C	D	E
7315	Accounting Manager	\$ 10,080	\$ 10,584	\$ 11,113	\$ 11,668	\$ 12,252
2400	Assistant Library and Recreation Director	\$ 11,355	\$ 11,923	\$ 12,519	\$ 13,145	\$ 13,802
2202	Assistant Public Works Director / City Engineer	\$ 12,886	\$ 13,530	\$ 14,207	\$ 14,917	\$ 15,663
2302	Chief Building Official	\$ 11,975	\$ 12,574	\$ 13,202	\$ 13,863	\$ 14,556
4203	Civic Design Manager	\$ 10,229	\$ 10,741	\$ 11,278	\$ 11,842	\$ 12,434
2122	Code Enforcement Supervisor	\$ 7,796	\$ 8,186	\$ 8,595	\$ 9,025	\$ 9,477
4204	Data & Infrastructure Manager	\$ 11,328	\$ 11,894	\$ 12,489	\$ 13,113	\$ 13,769
1105	Deputy City Attorney I	\$ 10,852	\$ 11,395	\$ 11,965	\$ 12,563	\$ 13,191
1109	Deputy City Attorney II	\$ 11,965	\$ 12,564	\$ 13,192	\$ 13,852	\$ 14,544
TBD	Deputy Director of Emergency Management	\$ 12,886	\$ 13,530	\$ 14,207	\$ 14,917	\$ 15,663
TBD	Deputy Fire Chief	\$ 14,663	\$ 15,396	\$ 16,166	\$ 16,974	\$ 17,823
2120	Deputy Fire Marshall	\$ 10,193	\$ 10,702	\$ 11,237	\$ 11,799	\$ 12,389
2135	Deputy Public Works Director	\$ 11,707	\$ 12,292	\$ 12,907	\$ 13,552	\$ 14,230
7313	Economic Development Coordinator	\$ 9,834	\$ 10,326	\$ 10,842	\$ 11,385	\$ 11,954
2128	Economic Development Manager	\$ 10,814	\$ 11,355	\$ 11,923	\$ 12,519	\$ 13,145
7117	Emergency Services Manager	\$ 9,595	\$ 10,075	\$ 10,579	\$ 11,108	\$ 11,663
2138	Housing Manager	\$ 11,173	\$ 11,732	\$ 12,318	\$ 12,934	\$ 13,581
2107	Human Resources Operations Manager	\$ 9,779	\$ 10,268	\$ 10,781	\$ 11,320	\$ 11,886
2208	Operations and Maintenance Manager	\$ 10,661	\$ 11,194	\$ 11,754	\$ 12,341	\$ 12,958
2208	Operations and Maintenance Manager (SRSD)	\$ 10,661	\$ 11,194	\$ 11,754	\$ 12,341	\$ 12,958
2703	Parking Services Manager	\$ 9,834	\$ 10,326	\$ 10,842	\$ 11,385	\$ 11,954
7312	Parks Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
2116	Planning Manager	\$ 11,173	\$ 11,732	\$ 12,318	\$ 12,934	\$ 13,581
4206	Product Manager	\$ 10,229	\$ 10,741	\$ 11,278	\$ 11,842	\$ 12,434
8103	Recreation Supervisor	\$ 8,242	\$ 8,654	\$ 9,087	\$ 9,541	\$ 10,019
2206	Senior Civil Engineer (SRSD)	\$ 11,397	\$ 11,966	\$ 12,565	\$ 13,193	\$ 13,853
7317	Senior Code Enforcement Supervisor	\$ 8,605	\$ 9,036	\$ 9,487	\$ 9,962	\$ 10,460
2101	Senior Management Analyst I	\$ 7,985	\$ 8,384	\$ 8,803	\$ 9,243	\$ 9,705
2105	Senior Management Analyst II	\$ 9,507	\$ 9,982	\$ 10,481	\$ 11,005	\$ 11,555
2203	Senior Project Manager	\$ 9,729	\$ 10,216	\$ 10,726	\$ 11,263	\$ 11,826
8102	Senior Recreation Supervisor	\$ 9,097	\$ 9,552	\$ 10,030	\$ 10,531	\$ 11,058
7310	Sewer Maintenance Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
7311	Street Maintenance Superintendent	\$ 9,735	\$ 10,222	\$ 10,733	\$ 11,269	\$ 11,833
2150	Sustainability Program Manager	\$ 8,013	\$ 8,413	\$ 8,834	\$ 9,275	\$ 9,739




Agenda Item No: 5.h
Meeting Date: January 18, 2022

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: HUMAN RESOURCES

Prepared by:
Cristine Alilovich, Assistant City Manager

City Manager Approval: _____ 

TOPIC: REVISED SALARY AND BENEFIT PLAN FOR TEMPORARY EMPLOYEES

SUBJECT: RESOLUTION RESCINDING RESOLUTION NO. 14268 AND ADOPTING A REVISED TEMPORARY, SEASONAL, RETIREE, AND FIXED-TERM EMPLOYEES SALARY AND BENEFIT PLAN AND SALARY SCHEDULE

RECOMMENDATION:
Adopt the Resolution approving an updated Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and attached salary schedule.

BACKGROUND:
The City utilizes a variety of positions to deliver City services, including jobs that are temporary, seasonal, or are authorized for only a fixed duration of time based on funding and limitations or special project/program needs. These positions perform job duties or services that are either outside of regular classified services or are established to meet coverage needs, utilize part-time retiree expertise, or help departments respond to workload surges. There are five types of positions/classifications (temporary, seasonal, retiree, exempt fixed-term, and non-exempt fixed-term) covered under the Salary and Benefit Plan attached (Exhibit A to the resolution).

The City's temporary salaries and benefits were last updated in January 2017. Since that time, staff has determined that an analysis is needed to ensure the successful recruitment and retention of qualified applicants. Staff recommends rescinding the current Resolution number 14268 to adopt a new resolution with the recommended updates. Staff is seeking authorization of the Salary Schedule (Exhibit B to the resolution) for formal adoption.

ANALYSIS:
Staff recommends the following changes to the Salary and Benefit Plan and salary schedule:

_____ **FOR CITY CLERK ONLY**

File No.: _____

Council Meeting: _____

Disposition: _____

1. Update the Salary and Benefit Plan to include new Executive Professional (Fixed Term), Childcare Specialist, and Technical Professional Temp classifications:
 - Executive Professional (Fixed Term) - This new classification allows the City to recruit for individuals with unique backgrounds, specialized skills and who can offer a higher-level of professional experience. Creating this new classification will allow the City to offer competitive salaries and benefits.
 - Childcare Specialist – The City’s childcare program is licensed through the State of California and, as such, is required to have specific types of staff classifications (Site Directors and Instructors) employed at each childcare site and maintain minimum staffing to student ratios. Due to staff vacations, illnesses or when positions are vacant, the Department must provide appropriate staffing to fill those vacancies even on a temporary basis. The Childcare Specialist position will be utilized to fill these types of vacancies.
 - Technical Professional Temp – There has been an increased workload in the Community Development and Public Works departments, due to higher volumes of permit and building inspection requests over the last year. Creating this higher-level classification is necessary to discontinue use of third-party vendors which is a more costly approach to address these peaks in workload. This new classification will allow the City to be competitive with similar agencies and recruit and retain higher level experienced staff.

New job descriptions for these classifications can be found in the updated Salary and Benefit Plan (Exhibit A to Resolution).

2. Delete the following classifications: Accounting Temp I, Accounting Temp II, Fire Dispatcher Temp, Law Clerk, Police Property & Evidence Tech, Police Regulatory Officer, Sports Official: After review of the current salary schedule and job descriptions it has been determined that these classifications are obsolete and no longer utilized and the job duties have been absorbed in other existing classifications.
3. Retitle the following classifications; new titles can be found in Exhibit B to Resolution – Salary Schedule: Aquatics Specialist, Aquatics Temp, Child Care Temp, Police Community Services Officer Temp, Police Dispatcher Temp, Police Call Taker & Records Specialist Temp, Pool Attendant, Substitute Library Page. In order to successfully recruit for these positions, staff is recommending these title changes which are more in line with industry standards.
4. Update hourly rates (see Exhibit B – Salary Schedule) to meet the 2022 California minimum wage requirement of \$15.00 per hour.
5. Update the hourly rates of the Library and Recreation Services temporary positions based on a labor market study. Staff evaluated the compensation of similar positions in neighboring agencies and recommend increased hourly rates (see Exhibit B to Resolution), which will help with recruitment and allow the department to be competitive with nearby agencies.
6. Update the hourly rates of the remaining temporary positions to reflect the same percentage increases received by the non-public safety bargaining units since 2017.

FISCAL IMPACT:

The total costs associated with implementing the recommended salary and benefit adjustments are estimated to be within a range of \$50,000 - \$75,000, which also accounts for the state mandated increase in minimum wage. All affected departments have sufficient funds in their budgets to absorb the additional salary costs and will budget the ongoing costs for future fiscal years.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt resolution.
2. Adopt resolution with modifications.
3. Direct staff to return with more information.
4. Take no action.

RECOMMENDED ACTION:

Adopt the resolution to revise and approve the new Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan and Salary Schedule.

ATTACHMENTS:

1. Resolution
2. Exhibit A to Resolution – Temporary, Seasonal, Retiree, or Fixed-Term Employees Salary and Benefit Plan
3. Exhibit B to Resolution – Salary Schedule

RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
RESCINDING RESOLUTION NO. 14268 AND ADOPTING A REVISED
TEMPORARY, SEASONAL, RETIREE, AND FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN AND SALARY SCHEDULE**

WHEREAS, it is the intent of the City of San Rafael to compensate temporary, seasonal, retiree, and fixed-term employees at a rate of pay similar to that of regular or comparable employees performing like work; and

WHEREAS, there is a need to adopt a revised Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan to update benefits listed for non-exempt and exempt Fixed-Term positions; add job descriptions, and apply salary adjustments to the Salary Schedule; and

WHEREAS, the revised salary and benefit plan would replace the salary and benefit plan previously approved by the City Council pursuant to Resolution No. 14268;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Rafael as follows:

- (1) That Resolution No. 14268 is rescinded;
- (2) That the benefits added to the Temporary, Seasonal, Retiree, and Fixed-Term Employee Salary and Benefit Plan are effective January 1, 2022;
- (3) That the Temporary, Seasonal, Retiree, and Fixed-Term Employees Salary and Benefit Plan attached as Exhibit "A" hereto, including the Salary Schedule effective January 1, 2022 attached hereto as Exhibit "B", are adopted for the classifications identified therein;
- (4) That the Temporary, Seasonal, Retiree and non-exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on an hourly basis at the rates established in the aforementioned salary schedule, only for time actually worked; and
- (5) That FLSA Exempt Fixed-Term Employees covered by the foregoing Salary and Benefit Plan shall be paid on a salaried basis, at the salary established in the aforementioned salary schedule.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: Councilmembers:

NOES: Councilmembers:

ABSENT: Councilmembers:

Lindsay Lara, City Clerk

**TEMPORARY, SEASONAL, RETIREE OR FIXED-TERM EMPLOYEES
SALARY AND BENEFIT PLAN**

DEFINITION

Temporary, Seasonal, Retiree, and Fixed-Term employees serve important roles in supporting City business. These positions perform job duties and provide city services that are outside of the regular classified services. All positions covered by this resolution are at-will and as such serve at the pleasure of the appointing authority and may be removed at any time without cause and without right of appeal. Temporary, Seasonal, or Fixed-Term employees who wish to secure a regular position with the City must compete in the applicable recruitment and examination process for any such regular position.

Seasonal

Seasonal is defined as those employees who perform specific job responsibilities that are for a specific period of time. The period is typically for a period of four (4) months or less. Seasonal employees often work in recreation or park programs. Seasonal employees may work a maximum of 1,000 hours in a fiscal year.

Retiree

Retirees who return to fill temporary or seasonal positions may work a maximum of 960 hours per fiscal year. Once the retiree employee reaches 960 hours in a fiscal year, he/she shall no longer be eligible to work for the City until the next fiscal year.

Temporary

Temporary positions do not have the same title as classified City positions (those covered by a City MOU) and may not exceed 1,000 hours in a fiscal year.

The Department Director or designee has the authority to make temporary appointments provided there are sufficient funds in the department budget. Temporary appointments are typically made to meet short-term employment needs such as peak workload, illness, vacations of full-time employees, or pending the establishment of a new eligibility list.

There are four types of Temporary Appointments:

A. Standard Temporary Appointment:

Appointment to one of the temporary job classifications listed in this resolution for a specific purpose that is of temporary nature.

B. Special Appointment: Special temporary appointments to perform work outside an existing City classification and for which no temporary job classification exists may be made under special circumstances, when the individual has a unique combination of expertise, background and skills and is needed to help the department respond to a priority work issue. City Manager approval is required.

C. Emergency Appointment: Temporary appointment of an employee to prevent stoppage of public business, loss of life, or damage to persons or property, or when qualified personnel cannot be readily obtained due to emergency conditions. An employee appointed in this category need not meet the minimum qualifications of the job.

- D. **Per Diem**: Per Diem is defined as those temporary employees who are not regularly scheduled to work but serve in an as-needed capacity. Per Diem employees are typically on a list to be called when needed. Per Diem temporary appointments are made to one of the temporary classifications listed in this resolution.

Fixed-Term

Fixed-Term is an appointment of an employee to an allocated and Fixed-Term position that will be needed longer than six months and with an expected end date. Fixed-Term positions are established due to limits on grant funding or other known limits to the position's duration and are not subject to the 1,000 hour per year limit on working hours. Employees appointed to Fixed-Term appointments must accept the position with the understanding that continued appointment is contingent upon grant funds and job performance. Fixed-Term appointments may be made for up to a three-year period and may be extended by approval of the City Manager.

SALARY, BENEFITS, WORK HOURS, AND CLASSIFICATION

Rate of Pay

It is the intent of the City of San Rafael to compensate Temporary, Seasonal, Retiree and Fixed-Term employees at a rate of pay similar to that of regular employees performing like work. The hourly rate is based upon the level of duties performed. The attached Temporary/Seasonal/Retiree/Fixed-Term Salary Schedule lists the rates of pay for each position.

Effective July 1 of each fiscal year, such Salary Schedule may be adjusted by the City Manager to a rate of pay similar to that of regular or comparable employees performing like work, provided that the City Manager has made a determination that the salary schedule adjustment will be fiscally prudent under projected budget conditions. Such compensation may also be adjusted as necessary to comply with State Minimum Wage requirements.

Benefits for Temporary, Seasonal, and Retiree employees

Temporary, Seasonal, and Retiree employees do not receive benefits with the exception of a retirement plan and paid sick leave. Participation in a retirement plan is mandated by Federal Law and San Rafael enrolls hourly employees in the Public Agency Retirement System (PARS). Under PARS, employees covered by this resolution contribute 3.75% of their salary to the retirement plan and the City contributes the same amount. Contributions are tax-deferred. Retiree employees do not participate in PARS. Temporary and Seasonal employees are entitled to sick leave in accordance with California's Paid Sick Leave Law (AB 1522) as outlined in the City's Paid Sick Time Policy.

Benefits for Non-Exempt Fixed-Term employees also participate in the PARS retirement plan, and in addition receive the following basic benefits package (prorated for part-time): health and dental insurance up to a maximum of \$600 per month, twelve (12) days of paid sick leave per year, ten (10) vacation days per year, eleven (11) City holidays, and two (2) floating holidays. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Upon termination, any unused accrued vacation leave will be paid out to the employee.

Benefits for Exempt Fixed-Term employees shall receive the following benefits:

PARS retirement: employer contribution of 3.75% and employee contribution of 3.75% of their salary to the retirement plan.

Sick Leave: twelve (12) days of paid sick leave per year shall accrue each year. Accrued sick leave will not be paid out to the employee upon termination.

Vacation: ten (10) days of paid vacation per year. A Fixed-Term employee may accrue a maximum of 200 hours of vacation. Unused accrued vacation leave will be paid out to the employee upon termination.

Holidays: eleven (11) designated holidays and two (2) floating holidays per calendar year. The hours for the floating holidays are automatically added to an employees' vacation accrual on a semi-annual basis.

Administrative Leave: ten (10) Administrative Leave days (75 hours) each calendar year subject to the approval of the Department Director and the City Manager. Unused Administrative Leave shall not carry over from one calendar year to the next, nor shall unused Administrative Leave balances be paid upon termination.

Full-flex cafeteria plan: Exempt Fixed-Term employees are eligible to participate in the City's full flex cafeteria plan and shall receive a monthly flex dollar allowance to purchase benefits under the full flex cafeteria plan. The monthly flex dollar allowance effective January 1, 2017 is:

For employee only:	\$634.57
For employee and one dependent:	\$1,269.13
For employee and two or more dependents:	\$1,649.88

Dental Insurance: The City shall pay dental premiums on behalf of the employee and eligible dependents.

Vision Plan: The City will pay for a vision plan for "employee plus dependent" vision benefits.

Car Allowance: A monthly car allowance of \$350 or use of a city car in lieu of a monthly car allowance may be authorized at the discretion of the City Manager.

In recognition of exempt status under FLSA, time off for Vacation, Sick Leave, and Administrative leave purposes shall not be deducted from an Exempt Fixed-Term employee leave accrual unless the employee is absent for the full work day.

Hours Worked

Temporary and Seasonal employees covered by this resolution may not work more than 1,000 hours in a fiscal year, unless they work in Police or Fire in a position that is staffed 24 hours per day. Employees in these positions (dispatch and police records) may work up to 1,250 hours in a calendar year.

Retirees under the 1937 Retirement Act working in any positions may not exceed the 960 hours per fiscal year limit.

Fixed term employees are not subject to the 1,000 hour per fiscal year limit.

Work Week and Overtime

Temporary, Seasonal, Retiree, and Fixed-Term employees who are non-exempt are eligible to receive overtime pay in accordance with the Fair Labor Standards Act (FLSA). Overtime is paid when the employee works in excess of 40 hours per week. The week period is defined as Sunday at 12:01am to the following Saturday at 11:59pm. The work week for full-time Fixed-Term positions is thirty-seven and one-half (37.5) hours. For full-time Fixed-Term positions in the Police department, the work week is forty (40) hours.

Classification

Following is a list of the positions covered by this resolution. Department Directors may appoint from one of these positions at any point in the salary range based on the qualifications of the person filling the Temporary, Seasonal, Retiree or Fixed-Term position.

Temporary/Seasonal/Retiree/Fixed-Term Job Descriptions

Administrative Specialist

Provides responsible work on complex administrative assignments. Performs more complex accounting tasks with more independence and prepares financial and statistical reports with a minimum of supervision. Researches and compiles a variety of informational materials, types drafts and finished documents including confidential materials, brief instructions, or written materials. Organizes and maintains files and records, schedules appointments, and arranges for facilities and supplies. Five years of responsible secretarial or office administrative experience is typically required.

Advanced Professional Fixed -Term (exempt)

Typically performs specialized professional work of greater complexity and more autonomy than the Professional Temp position. Responsibilities of an advanced professional temp are similar to those of a management position and may involve supervision.

Child Care Aide

Works with the children in the childcare program to carry out the day-to-day activities of the pre-school or elementary childcare programs. Responsible for assisting in planning and scheduling activities. Prior experience working with children in recreation, education or similar setting is preferred.

Child Care Specialist

Under general direction, this classification works with child care staff to plan and implement curriculum and instructional activities and ensure a safe environment for participants. Employees in this classification rely on experience and judgment to ensure the efficient and effective functioning of the childcare program. High School Diploma or GED and twelve (12) college units in recreation, education, or related field; BA preferred. One (1) year working with youth in a group setting preferred.

Clerical Temp

Provides clerical support to a department or division. Duties include record keeping, filing, and receptionist duties including answering phones and setting up meetings. Performs word processing from tapes, brief instructions or written material.

Dispatcher Temp

Operates emergency dispatching equipment to communicate with the public and Department personnel for the purpose of receiving, interpreting, and transmitting information essential to the delivery of emergency police services. Responsibilities include operation of Department telephone and radio communication equipment to receive and transmit information essential to the delivery of emergency police services, maintenance of radio logs and other related records, assisting in preparing, checking and indexing reports, operating personal computers and related software, providing information to the public, and related duties as required.

Events Specialist

Assists in set up, delivery, and breakdown of sound equipment, stages, band equipment, lighting, tents, generators and display equipment. Provides guest services such as making announcements, operating soundboards, and lighting equipment. May supervise maintenance crews and security at events. Special Events Assistants work independently and must be able to manage multiple tasks at a time to trouble-shoot and to make sound decisions. Requires the ability to move heavy equipment

Executive Professional Fixed Term (Exempt)

Directs, plans, and coordinates City activities and are responsible for devising policies and strategies to meet the goals and objectives of the City. Oversee budgetary activities. Consult, interact with other high level staff, City Council, and various local agencies. Negotiate or approve contracts and agreements. May have direct supervision over staff. Ability to travel to attend meetings and conferences.

Facilities Attendant

Under general direction of the Recreation Program Coordinator or Recreation Supervisor, this position is responsible for supervision of a Community Center during assigned work hours. Job duties includes the supervision of front counter/reception area, managing daily registration process, set-up and breakdown of equipment for scheduled activities, custodial and cleaning including but not limited to emptying trash, vacuuming, cleaning windows, cleaning restrooms, etc. Opening and securing facility before and after building use and interacting with instructors, clients and general public. Bilingual in Spanish and/or Vietnamese preferred.

Head Lifeguard

Under general supervision of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor, the Head Lifeguard is responsible for pool safety, assisting with staff training and scheduling, staff supervision, daily administrative duties, sanitation and public relations of the pool facility. The Head Lifeguard is in charge of the pool in the absence of the Pool Manager, Recreation Program Coordinator or Recreation Supervisor. A minimum of two years pool guarding experience, current certifications as required for the position including, lifeguard training, CPR for the Professional Rescuer and A.E.D. training. Water Safety Instruction certification is desirable. Knowledge of: Aquatic facility safety principals and injury prevention strategies.

Intern

These positions provide work-experience to students who are interested in gaining entry-level experience in a profession of interest. Interns perform support tasks including research, surveys, data collection, drafting reports, and other related administrative tasks.

Library Page

Shelves incoming material maintains the shelves in order and assists library staff as needed. This is an entry-level position.

Lifeguard

Responsible for the enforcement of all rules and regulations pertaining to the safety and wellbeing of pool users and patrons. Responsibilities include maintaining health and safety standards, performing, emergency rescue techniques and rendering first aid to the injured, performing routine maintenance and custodial duties. Incumbent must possess a current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Maintenance Temp

Performs a variety of manual and semi-skilled tasks involved in the maintenance, improvement and operation of the City's sewage pumping stations and gravity sewer lines, and/or construction, repair, maintenance, and cleaning of streets, sidewalks, other concrete structures, storm drainage or related Public Works facilities.

Office Aide

Answers phones, prepares letters and reports, keeps schedules up-to-date, processes mail, performs payroll related functions, and other miscellaneous duties. Performs routine basic accounting duties including maintenance of journal vouchers, accounting records, subsidiary and general ledger entries, fixed asset record documentation, payroll timekeeping, accounts and grants receivables, audit preparation; financial, budgeting and statistical reports.

Officer Temp

Performs routine police reporting duties, including crime scene investigation, maintains training records, manages training schedules and reservations, assists the COPPs manager, maintains regulatory alarm permit program, prepares statistical information through the PD records management system, participates in guest speaking engagements, maintains a fair booth at the Marin County fair, and assists with crime prevention programs. Maintains files for all regulatory services within the purview of the police department, including alarm permits, concealed weapon permits, etc. Conducts background checks on body workers and fingerprints job applicants.

Paraprofessional Temp

A paraprofessional temp is trained in or knowledgeable of a specific field and is qualified to provide assistance to the work of a professional.

Parking Aide

This position provides general service and information to the public, and is responsible for the upkeep, presentation, and general operations of all City parking areas. Duties include assisting the public at all City parking locations, providing general information about the City of San Rafael, and specific information about rates, locations, and various programs. Operates all parking equipment and collects parking fees and provides change to customers, maintains records of transactions and parking activities, prepares cash deposits and delivers to designated drop areas, and may include basic parking enforcement duties of a limited nature.

Pool Cashier

Under general supervision, Pool Cashier are responsible for receiving and processing daily pool admissions, season passes, operating the cash register and maintaining security and accuracy of funds. Essential and important duties include: answering phones and handling customer service, ensuring customer sign in and checking identification, creating and maintaining good working relations with the public and staff, handling financial transactions at the pool including but not limited to class registration, season pass purchases, daily admission and swim diaper sales, ensuring accuracy of daily attendance and financial transactions, and assisting in an emergency and rendering first aid. Must have a certificate in American Red Cross CPR for the Professional Rescuer, First Aid and Automated External Defibrillator.

Pool Manager

Under the general supervision of the Recreation Program Coordinator or Recreation Supervisor, the Pool Manager is responsible for the organization and supervision of the City's aquatics program. Duties include the development and management of group and private swim lesson programs, managing pool schedules, developing staff training and curriculum, leading staff trainings and working directly with course instructors, pool party users and outside user groups.

Provides direction and motivation to part time staff. This position receives direction from the Recreation Supervisor.

Professional Temp

Performs job duties that require a form of specialization which typically requires a Bachelor's degree or equivalent work experience. Appointments to professional temp positions are typically made to mid-management level positions. They require some degree of a specialized profession and job knowledge.

Project Manager Fixed Term (exempt)

Performs highly responsible, complex, and varied professional administrative and analytical work in the planning, organization, implementation and oversight of City projects of defined duration, physical scale, budget, and community impact; conducts analysis of operational needs and strategic planning, productivity studies, and other complex analyses; participates in the review of plans for city facilities, municipal building construction or public works projects; escalates issues as required, facilitates higher level decision making, and authorizes change orders to keep construction moving; and serves as liaison with the department heads, community organizations, and other agencies.

Records Temp

Performs routine duties of Records Specialist including answering phones, entering calls for service into CAD, assisting customers at public counter, processing all forms of police records and reports.

Recreation Leader

Maintains a safe and enjoyable environment for recreation program participants. Responsibilities include planning, conducting and supervising activities such as organized games, group singing, art projects, field trips, and other activities for participants in a recreational/park setting.

Recreation Specialist

Under the supervision of a Recreation Program Coordinator or Recreation Supervisor, provides leadership and functional supervision to a recreation program, activity or service; directs and/or leads the activities of a program, activity or service; organizes and implements program elements and oversees participants, and performs related work as required. This is a higher-level position as distinguished from the Recreation Leader utilized in the Library and Recreation Department. This class is distinguished from the entry-level Recreation Leader by responsibility for on-site coordination of a specific program area. One (1) year of work experience in parks, recreation or related field required.

Substitute Librarian

Performs professional-level library public service work, including answering reference questions, providing readers' advisory, providing technical assistance, and presenting programs.

Substitute Library Assistant

Check's material in and out, answers simple questions, creates new patron accounts, and performs circulation tasks as needed.

Swim Instructor

Under general supervision, is responsible for the instruction of swim lesson programs. Swim Instructors must be able to demonstrate skills for class taught and must ensure the safety of all swimmers in their class. Swim Instructors may be assigned to teach group or private lessons for children 6 months through adults. Instructors are required to assist as needed in an emergency

at the pool. Must possess current Lifeguard Certification which includes CPR for the Professional Rescuer, First Aid and Automated External Defibrillator. American Red Cross Water Safety Instructor highly desirable.

Technical Professional Temp

Performs advanced professional work. Performs a variety of management and complex functions that require a high level of expertise in the field of need. May provide supervision to professional and support staff members. Conducts research and analysis. Works with stakeholders, architects, engineers, and/or contractors to assure the authorized projects are accomplished in accordance with approved regulations, policies and procedures and may act as liaison between the City and those groups.

Temporary / Seasonal / Retiree / Fixed-Term Salary Schedule
Effective January 1, 2022

Grade	Status	Job Title	A	B	C	D	E	F	G	H	I	J
9917	Exempt	<i>Advanced Professional Temp (monthly salary)</i>	\$ 8,250	\$ 8,662	\$ 9,096	\$ 9,550	\$ 10,028	\$ 10,529	\$ 11,056	\$ 11,609	\$ 12,189	\$ 12,798
TBD	Exempt	<i>Executive Professional Temp* (monthly salary)</i>	\$ 11,137	\$ 11,694	\$ 12,279	\$ 12,893	\$ 13,538	\$ 14,215	\$ 14,925	\$ 15,672	\$ 16,455	\$ 17,278
2133	Exempt	<i>Project Manager (monthly salary)</i>	\$ 6,309	\$ 6,625	\$ 6,956	\$ 7,304	\$ 7,669	\$ 8,052	\$ 8,455	\$ 8,878	\$ 9,321	\$ 9,788
9916	Hourly	<i>Administrative Specialist</i>	\$ 24.38	\$ 25.60	\$ 26.88	\$ 28.22	\$ 29.63	\$ 31.12	\$ 32.67	\$ 34.31	\$ 36.02	\$ 37.82
9903	Hourly	<i>Child Care Temp Aide</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
TBD	Hourly	<i>Child Care Specialist*</i>	\$ 19.00	\$ 19.95	\$ 20.95	\$ 21.99	\$ 23.09	\$ 24.25	\$ 25.46	\$ 26.73	\$ 28.07	\$ 29.48
9904	Hourly	<i>Clerical Temp</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9935	Hourly	<i>Police Dispatcher Temp</i>	\$ 25.05	\$ 26.30	\$ 27.62	\$ 29.00	\$ 30.45	\$ 31.97	\$ 33.57	\$ 35.24	\$ 37.01	\$ 38.86
9921	Hourly	<i>Events Specialist</i>	\$ 15.90	\$ 16.70	\$ 17.53	\$ 18.41	\$ 19.33	\$ 20.29	\$ 21.31	\$ 22.37	\$ 23.49	\$ 24.67
9922	Hourly	<i>Facilities Attendant</i>	\$ 17.50	\$ 18.38	\$ 19.29	\$ 20.26	\$ 21.27	\$ 22.33	\$ 23.45	\$ 24.62	\$ 25.86	\$ 27.15
9918	Hourly	<i>Head Lifeguard Aquatics-Specialist</i>	\$ 19.25	\$ 20.21	\$ 21.22	\$ 22.28	\$ 23.40	\$ 24.57	\$ 25.80	\$ 27.09	\$ 28.44	\$ 29.86
9923	Hourly	<i>Intern</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9932	Hourly	<i>Substitute Library Page</i>	\$ 16.00	\$ 16.80	\$ 17.64	\$ 18.52	\$ 19.45	\$ 20.42	\$ 21.44	\$ 22.51	\$ 23.64	\$ 24.82
9902	Hourly	<i>Lifeguard Aquatics-Temp</i>	\$ 17.00	\$ 17.85	\$ 18.74	\$ 19.68	\$ 20.66	\$ 21.70	\$ 22.78	\$ 23.92	\$ 25.12	\$ 26.37
9907	Hourly	<i>Maintenance Temp</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9924	Hourly	<i>Office Aide</i>	\$ 21.73	\$ 22.82	\$ 23.96	\$ 25.16	\$ 26.41	\$ 27.73	\$ 29.12	\$ 30.58	\$ 32.11	\$ 33.71
9928	Hourly	<i>Police-Community-Service Officer Temp</i>	\$ 26.50	\$ 27.83	\$ 29.22	\$ 30.68	\$ 32.21	\$ 33.82	\$ 35.51	\$ 37.29	\$ 39.15	\$ 41.11
9908	Hourly	<i>Paraprofessional Temp</i>	\$ 21.20	\$ 22.26	\$ 23.37	\$ 24.54	\$ 25.77	\$ 27.06	\$ 28.41	\$ 29.83	\$ 31.32	\$ 32.89
9925	Hourly	<i>Parking Aide</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9929	Hourly	<i>Pool Attendant Cashier</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9930	Hourly	<i>Pool Manager</i>	\$ 21.20	\$ 22.26	\$ 23.37	\$ 24.54	\$ 25.77	\$ 27.06	\$ 28.41	\$ 29.83	\$ 31.32	\$ 32.89
9909	Hourly	<i>Professional Temp</i>	\$ 31.80	\$ 33.39	\$ 35.06	\$ 36.81	\$ 38.65	\$ 40.59	\$ 42.62	\$ 44.75	\$ 46.98	\$ 49.33
9926	Hourly	<i>Police-Call-Taker & Records-Specialist Records Temp</i>	\$ 22.96	\$ 24.11	\$ 25.31	\$ 26.58	\$ 27.91	\$ 29.30	\$ 30.77	\$ 32.31	\$ 33.92	\$ 35.62
9910	Hourly	<i>Recreation Leader</i>	\$ 15.00	\$ 15.75	\$ 16.54	\$ 17.36	\$ 18.23	\$ 19.14	\$ 20.10	\$ 21.11	\$ 22.16	\$ 23.27
9911	Hourly	<i>Recreation Specialist</i>	\$ 21.00	\$ 22.05	\$ 23.15	\$ 24.31	\$ 25.53	\$ 26.80	\$ 28.14	\$ 29.55	\$ 31.03	\$ 32.58
9933	Hourly	<i>Substitute Librarian</i>	\$ 32.00	\$ 33.60	\$ 35.28	\$ 37.04	\$ 38.90	\$ 40.84	\$ 42.88	\$ 45.03	\$ 47.28	\$ 49.64
9931	Hourly	<i>Substitute Library Assistant</i>	\$ 22.50	\$ 23.63	\$ 24.81	\$ 26.05	\$ 27.35	\$ 28.72	\$ 30.15	\$ 31.66	\$ 33.24	\$ 34.90
9934	Hourly	<i>Swim Instructor</i>	\$ 17.50	\$ 18.38	\$ 19.29	\$ 20.26	\$ 21.27	\$ 22.33	\$ 23.45	\$ 24.62	\$ 25.86	\$ 27.15
TBD	Hourly	<i>Technical Prof Temp*</i>	\$ 45.00	\$ 47.25	\$ 49.61	\$ 52.09	\$ 54.70	\$ 57.43	\$ 60.30	\$ 63.32	\$ 66.49	\$ 69.81

*New classification



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Library and Recreation

Prepared by: Kelly Albrecht,
Senior Recreation Supervisor

City Manager Approval: _____

TOPIC: CALIFORNIA STATE PRESCHOOL PROGRAM CONTINUED FUNDING APPLICATION

SUBJECT: RESOLUTION AUTHORIZING THE SENIOR RECREATION SUPERVISOR-CHILD CARE TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF EDUCATION FOR A GRANT TO PROVIDE CHILD CARE AND DEVELOPMENT SERVICES FOR FISCAL YEAR 2022-2023, AND IF GRANTED, TO SIGN ALL NECESSARY GRANT DOCUMENTS

RECOMMENDATION:

Adopt a resolution authorizing the Senior Recreation Supervisor-Child Care to submit an application on behalf of the City of San Rafael to the California Department of Education for a grant to provide preschool services at Pickleweed Preschool for fiscal year 2022-2023, and if granted, to sign all necessary grant documents.

BACKGROUND:

California State Preschool Programs (CSPP) contractors who wish to be considered for continued funding for fiscal year 2022-2023 must complete the continued funding application in a timely manner. CSPP contractors who apply for and are approved for continued funding for services for FY 2022-2023 will be automatically renewed in accordance with all applicable federal and state laws as well as California State Preschool Funding Terms and Conditions and Program Requirements that will be incorporated into the 2022-2023 Contract.

ANALYSIS:

Pickleweed Preschool has been providing preschool services since 1997. The program relies on the renewal of the California State Preschool contract, to provide no-cost preschool services for income eligible families.

FISCAL IMPACT:

The City is seeking grant funding from the California Department of Education for the preschool program at Pickleweed Preschool. The preschool program's estimated budget for fiscal year 2022-2023 is as follows:

FOR CITY CLERK ONLY

Council Meeting: _____

Disposition: _____

Program Budgeted Expenditures FY 2022-23: \$434,398

Program Budgeted Revenues FY 2022-23:	
California State Department of Education State Preschool Program	\$248,509
First 5 Marin	\$104,017
Community Development Block Grant (Federal)	\$21,500
Safety Net (Marin Child Care Council)	\$20,000
Available Fund Balance	<u>\$40,372</u>
	\$434,398

This important funding from the California Department of Education is essential for the City to continue to provide the preschool program at Pickleweed Preschool.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution as proposed, to apply to the California Department of Education for grant funding and to authorize the Senior Recreation Supervisor-Child Care to sign contract documents.
2. Do not adopt the resolution, resulting in the City declining the opportunity to submit a grant application to the California State Department of Education.

RECOMMENDED ACTION:

Adopt a resolution authorizing the Senior Recreation Supervisor-Child Care to submit an application on behalf of the City of San Rafael to the California Department of Education for a grant to provide preschool services at Pickleweed Preschool for fiscal year 2022-2023, and if granted, to sign all necessary grant documents.

ATTACHMENTS:

1. Resolution
2. Continued Funding Application Fiscal Year 2022-2023

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL AUTHORIZING THE SENIOR RECREATION SUPERVISOR-CHILD CARE TO SUBMIT AN APPLICATION TO THE CALIFORNIA DEPARTMENT OF EDUCATION FOR A GRANT TO PROVIDE CHILD CARE AND DEVELOPMENT SERVICES FOR FISCAL YEAR 2022-2023, AND IF GRANTED, TO SIGN ALL NECESSARY GRANT DOCUMENTS

WHEREAS the City operates the Pickleweed Preschool at the Pickleweed Children's Center; and

WHEREAS the City desires to provide no-cost preschool programming to low-income families from East San Rafael through programming at the Pickleweed Children's Center; and

WHEREAS, the State of California has awarded the City of San Rafael funds for subsidy of the Pickleweed Preschool Program since 1997; and

WHEREAS the City wishes to apply to the California Department of Education for a grant for the purpose of providing childcare and development services at Pickleweed Preschool for Fiscal Year 2022-2023, and to authorize City staff to sign contract documents if the grant is awarded to the City;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of San Rafael does hereby authorize the Senior Recreation Supervisor-Child Care to submit an application to the California Department of Education for a grant for the purpose of providing childcare and development services for the Pickleweed Preschool in Fiscal Year 2022-2023, and if the grant is approved, authorizes the Senior Recreation Supervisor - Child Care to execute all grant contract documents in a form approved by the City Attorney.

I, Lindsay Lara, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of San Rafael held on Tuesday, the 18th day of January 2022 by the following vote, to wit:

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

Lindsay Lara, City Clerk

California Department of Education
Early Education Division

EED-3704
CFA FY 2022–23

California State Preschool Program Continued Funding Application Fiscal Year 2022–23

California State Preschool Program (CSPP) contractors who wish to be considered for continued funding for fiscal year (FY) 2022–23 must read the accompanying instructions and fully and accurately complete this application for continued funding. Instructions may be accessed on the Continued Funding Application (CFA) web page at: <https://www.cde.ca.gov/sp/cd/ci/cfaforms2223.asp>.

Please note that CSPP contractors have no vested right to a subsequent contract. Completion of this CFA does not guarantee a renewal of funding. Upon completion of this CFA the California Department of Education (CDE) will review the application and may contact your agency seeking additional information. If the CDE determines your agency will not be renewed for a subsequent contract year, you will be notified in writing no later than April 7, 2022, pursuant to the *California Code of Regulations*, Title 5 (5 CCR). CSPP contractors who apply for and are approved for continued funding do not need to sign a contract with the CDE to provide CSPP services for FY 2022–23, as contracts will be automatically renewed in accordance with all applicable federal and state laws as well as all CSPP Funding Terms and Conditions and Program Requirements that will be incorporated into the 2022–23 CSPP contract. By signing this CFA, the CSPP contractor is indicating that it wishes to automatically renew the CSPP contract for FY 2022–23 and is willing to, and does accept, all of the terms and conditions of the CSPP contract, which will be provided to the CSPP contractor no later than June 1, 2022. The CSPP contractor may reject the FY 2022–23 CSPP contract by providing the CDE with a written notice no later than July 1, 2022. Instructions on how to provide written notice of rejection of the terms of the new FY 2022–23 contract will be provided in forthcoming communication, on or before June 1, 2022, to CSPP contractors.

Failure to submit the CFA in a timely manner shall constitute as a notice to the CDE of the intent to discontinue services at the end of the current contract year, unless the CSPP contractor has received a written notice of extension of time from the CDE. If the CFA is returned to the CDE in a timely manner but is not fully and accurately completed, funding for FY 2022–23, if approved, may be delayed.

If you have any questions regarding the CFA, please contact CFA@cde.ca.gov.

Section I – CSPP Contractor Information

Legal Name of CSPP Contractor: City of San Rafael

CSPP Contractor *Doing Business As* (DBA):

Headquartered County: 21 Marin

Vendor Number: 2193

Executive Director Name: Jim Schutz

Executive Director Telephone Number: 415-485-3475

Executive Director Fax Number:

Executive Director Email Address: jim.schutz@cityofsanrafael.org

Legal Business Address: 1400 Fifth Avenue

City: San Rafael

Zip Code: 94901

Mailing Address (if different from above): 618 B Street

City: San Rafael

Zip Code: 94901

Name of Person Completing the CFA: Kelly Albrecht

Title of Contact Person Completing the CFA: Senior Recreation Supervisor

Contact Person Telephone Number: 415-485-3386

Contact Person Email Address: kelly.albrecht@cityofsanrafael.org

Contractor Name:

Vendor #: County:

City of San Rafael

2193

21 Marin

Section II – CSPP Contract Type

Check all applicable boxes indicating the programs the CSPP contractor intends to continue to administer for the Fiscal Year 2022–23. The CSPP contractor agrees to continue implementation of these programs with funds provided by the CDE.

CSPP Type

- Full-Day/Full-Year
- Part-Day/Part-Year
- Family Childcare Home Education Network

Contractor Name: City of San Rafael **Vendor #:** 2193 **County:** 21 Marin

Section III – CSPP Contractor’s Officers and Board of Directors Information

Does the CSPP contractor have a board of directors? Yes No

If no, please explain the entity type and the governance structure (i.e., number of owners and partnership).

Government agency. City Council members serve as our board of directors.

Have any of the listed officers, board members, owners or other governing individuals ever served as an officer, board member, owner or governing individual with an agency that received state or federal funding and which agency funding was terminated or involuntarily non-renewed, or the agency was debarred from funding for any period of time?

Yes No

If yes, list on a separate page the officer(s), board member(s), owner(s) or other governing individual(s) to which this applies and include the former agency(ies) with which the individual(s) was/were previously affiliated and the circumstances leading to the termination, involuntary non-renewal or debarment.

List all officers and board members/governing individuals (i.e., owner, director, etc.) Attach additional sheets as necessary.

Officer, Board Member, Owner or Governing Individual Name	Title	Telephone Number	Mailing Address	Email Address
Mayor Kate Colin	Mayor	415-205-3119	1400 Fifth Avenue, San Rafael CA 94901	kate.colin@cityofsanrafael.org
Marybeth Bushey Rachel Kertz	Council Memebers	415-485-3070	1400 Fifth Avenue, San Rafael CA 94901	maribeth.bushey@cityofsanrafael.org rachel.kertz@cityofsanrafael.org
Eil Hill Maika Llorens Gulati	Council Members	415-485-3070	1400 Fifth Avenue San Rafael CA 94901	eli.hill@cityofsanrafael.org maika.llorens@cityofsanrafael.org

Contractor Name:

City of San Rafael

Vendor #: County:

2193 21 Marin

Section IV – Program Narrative

- A. Please select the box below if the CSPP contractor **does not** have programmatic or calendar changes to their CSPP.

No changes

- B. Please select all applicable fields below if the CSPP contractor **does** have programmatic or calendar changes to their CSPP. Programmatic or calendar changes require completion of a form ELCD 3704A. This form is available on the CFA web page at: <https://www.cde.ca.gov/sp/cd/ci/cfaforms2223.asp>.

Note: Program calendars must be submitted for both the part-day/part-year CSPP and the full-day/full-year CSPP, as applicable. Making changes to the Minimum Days of Operation (MDO) does not change the contract Maximum Reimbursable Amount (MRA).

Programmatic change

Calendar change

Contractor Name:

Vendor #: County:

City of San Rafael

2193 21 Marin

Section V – CSPP Personnel Certification

The State of California requires any CSPP contractor receiving child care and development funds, disbursed by the CDE, to employ fully qualified personnel as stipulated in the California *Education Code (EC)*; and the *California Code of Regulations, Title 5 (5 CCR)*; and the Funding Terms and Conditions of the CSPP contract.

I certify, as the authorized agent representing this CSPP contractor, that I have read and understand the staffing requirements for Program Director, Site Supervisor, and Teacher. All staff employed in CDE funded CSPP are fully qualified for their respective positions. The exception to this certification is a person employed as Program Director or Site Supervisor who possesses a current Staffing Qualifications Waiver approved by the Early Education Division (ELCD).

**Signature of the CSPP Contractor's
Authorized Representative:**

Kelly Albrecht

Digitally signed by Kelly Albrecht
Date: 2021.12.21 14:45:34
-08'00'

**Printed Name and Title of the CSPP
Contractor's Authorized
Representative:**

Kelly Albrecht, Senior Recreation Supervisor

Date of Signature:

12/21/2021

**Authorized Representative's
Telephone Number:**

415-485-3386

**Authorized Representative's
Email Address:**

kelly.albrecht@cityofsanrafael.org

Contractor Name: City of San Rafael **Vendor #:** 2193 **County:** 21 Marin

Section VI – Subcontract Certification

A. Please select the box below if the CSPP contractor **does not** have subcontractors, and move to section VII:

No subcontractors

B. Please select the box below if the CSPP contractor **does** have subcontractors, and complete the information and sign in the section below. CSPP Contractors who subcontract CSPP services will need to complete and submit the form ELCD 3704B. The form is available on the CFA web page at:

<https://www.cde.ca.gov/sp/cd/ci/cfaforms2223.asp>.

Subcontractors

I certify that the contractual arrangement(s) listed above are made in adherence to the required subcontract provisions contained in the 5 CCR, and the Funding Terms and Conditions of the CSPP contract.

I understand that signing this certificate does not lessen the legal responsibility for the CSPP contract requirements. As the CSPP contractor, it is my responsibility to monitor the performance of the subcontractor to ensure services are provided appropriately through the entire contract term.

**Signature of the CSPP Contractor's
Authorized Representative:**

Kelly Albrecht Digitally signed by Kelly Albrecht
Date: 2021.12.21 14:54:04 -08'00'

**Printed Name and Title of the CSPP
Contractor's Authorized Representative:**

Kelly Albrecht, Senior Recreation Supervisor

Date of Signature:

12/21/2021

Authorized Representative's Telephone Number:

415-485-3386

Authorized Representative's Email Address:

kelly.albrecht@cityofsanrafael.org

Contractor Name:	Vendor #:	County:
City of San Rafael	2193	21 Marin

Section VII – CSPP Contractor Certification

- Under penalty of perjury, I certify the following:
- I am authorized by the CSPP contractor’s Board of Directors or other governing authority to execute this CFA, signifying their intent to automatically renew the current contract for FY 2022–23, under new terms and conditions to be established by the CDE, unless rejected in writing prior to the effective date of the new CSPP contract on July 1, 2022.
- On behalf of the CSPP contractor and its governing authority, we understand some information requested in this CFA is intended for use by CDE auditors in connection with future audit work and performance reviews and may not be used, or even reviewed or considered by the CDE until well after the CSPP contract has expired, if ever. Therefore, we further understand that the information (and any underlying transactions) disclosed by this CFA shall not be considered properly noticed to the CDE, nor approved, accepted or authorized by the CDE, even if our request for continued funding by the CDE is subsequently approved.
- The governing board members have been trained in understanding conflict of interest requirements associated with their positions on the board and have reported all known conflicts of interest.
- I have supervisory authority over the CSPP, have actual, personal knowledge of the information provided in this CFA and certify that it is true and correct in all material respects.
- I am familiar with and will ensure that the CSPP contractor complies with all applicable program statutes and regulations, including:
 - Subcontracting requirements, including competitive bidding, CDE approval, and audit requirements in 5 CCR.
 - Prohibitions on conflicts of interests, including (i) the assurances required to establish that transactions with officers, directors and other related party transactions are conducted at arm’s length, and (ii) employment limitations stated in *Education Code*.
 - Cost reimbursement requirements, including reimbursable and non-reimbursable costs, documentation requirements, the provisions for determining the reimbursable amount and other provisions in 5 CCR, Accounting and reporting requirements in 5 CCR.
 - Operational and programmatic requirements.

Contractor Name: City of San Rafael **Vendor #:** 2193 **County:** 21 Marin

By signing this CFA, the CSPP contractor is indicating that it wishes to automatically renew the current CSPP contract for FY 2022-23 and, if approved, is willing to, and does accept, all of the terms and conditions of the CSPP contract, which will be provided to the CSPP contractor no later than June 1, 2022. The CSPP contractor may reject the FY 2022-23 CSPP contract by providing the CDE with a written notice of rejection no later than July 1, 2022. Instructions on how to provide written notice of rejection of the terms of the new FY 2022-23 contract will be provided in forthcoming communication, on or before June 1, 2022, to CSPP contractors.

**Signature of the CSPP Contractor's
Authorized Representative:**

Kelly Albrecht
Digitally signed by Kelly Albrecht
Date: 2021.12.21 14:55:07 -08'00'

**Printed Name and Title of the
CSPP Contractor's
Authorized Representative:**

Kelly Albrecht, Senior Recreation Supervisor

Date of Signature:

12/21/2021

**Authorized Representative's
Telephone Number:**

415-485-3386

**Authorized Representative's Email
Address:**

kelly.albrecht@cityofsanrafael.org

Contractor Name:

Vendor #: County:

City of San Rafael

2193 21 Marin

**Section VIII – Certification of CSPP Contractor Information in the
Child Development Management Information System**

CSPP contractors are required to review all information in the Child Development Management Information System (CDMIS) and update any outdated or incorrect information. To review the information and submit changes, log on to the CDMIS at <https://www4.cde.ca.gov/cdmis/default.aspx>.

As the authorized representative of the CSPP contractor listed below, I certify, under penalty of perjury, that I have reviewed all of the information for

City of San Rafael

and updates, additions, or deletions have been submitted as needed for information in all of the areas below:

- Executive Director/Superintendent information
- Program Director information
- Sites and Licenses and/or Office information
- CSPP Family Child Care Home Education Network (FCCHEN) provider summary information

To the best of my knowledge, the information on the CDMIS website reflects accurate information for the

City of San Rafael

as of the date this certification is signed.

Program Director/Authorized Representative Signature:

Date Signed:

Kelly Albrecht

Digitally signed by Kelly Albrecht
Date: 2021.12.21 14:56:09
-08'00'

12/21/2021

Printed Name of Program Director/Authorized Representative:

Kelly Albrecht, Senior Recreation Supervisor

Contractor Name:	Vendor #:	County:
City of San Rafael	2193	21 Marin

Section IX – Required Attachments

All attachments and/or documentation below must be completed and included when submitting the CFA. Attachments A-J are located on the CFA web page at:

<https://www.cde.ca.gov/sp/cd/ci/cfaforms2223.asp>.

- A. Fiscal Year 2022–23 Program Calendar (ELCD-9730)**
- B. Payee Data Record (STD. 204) (Non-public agencies only)**
- C. Payee Data Record Supplement (STD. 205) (Non-public agencies only, as applicable)**
- D. Secretary of State (Non-public agencies only)**
- E. Verification of School District Name and Address (Public agencies only)**
- F. Program Narrative Change (ELCD 3704A) (As applicable)**
- G. Subcontractor Certification (ELCD 3704B) (As applicable)**
- H. California Civil Rights Laws Certification (CO-005)**
- I. Contractor Certification Clauses (CCC 04/2017)**
- J. Federal Certification (CO.8)**
- K. For Public Agencies only, include a copy of the agency’s board resolution and/or minutes authorizing signature on this document, and a delegation of authority, if applicable**

Contractor Name:

Vendor #: County:

City of San Rafael

2193 21 Marin

Section X – CFA Checklist

Section	Section Description	Page	Check
Section I	CSPP Contractor Information	2	<input checked="" type="checkbox"/>
Section II	CSPP Contract Type	3	<input checked="" type="checkbox"/>
Section III	CSPP Contractor's Officers and Board of Directors Information	4	<input checked="" type="checkbox"/>
Section IV	Program Narrative	5	<input type="checkbox"/>
Section V*	CSPP Personnel Certification	6	<input checked="" type="checkbox"/>
Section VI*	Subcontractor Certification	7	<input type="checkbox"/>
Section VII*	CSPP Contractor Certification	8	<input checked="" type="checkbox"/>
Section VIII*	Certification of CSPP Contractor Information in the CDMIS Database	10	<input checked="" type="checkbox"/>
Section IX A.	CSPP Program Calendar(s) (ELCD-9730)	11	<input checked="" type="checkbox"/>
Section IX B.*	State of California, Payee Data Record (STD. 204) (non-public agencies only)	11	<input type="checkbox"/>
Section IX C.*	Payee Data Record Supplement (STD. 205) (Non-public agencies only)	11	<input type="checkbox"/>
Section IX D.	Secretary of State search results (non-public agencies only)	11	<input type="checkbox"/>
Section IX E.	Verification of School District Name and Address search, as applicable	11	<input type="checkbox"/>
Section IX F.	Program Narrative Change (ELCD 3704A)	Insert after page 5	<input type="checkbox"/>

Contractor Name: City of San Rafael **Vendor #:** 2193 **County:** 21 Marin

Section Number	Section Description	Page Number	Check Box
Section IX G.	Subcontractor Certification (ELCD 3704B)	Insert after page 7	<input type="checkbox"/>
Section IX H.*	California Civil Rights Laws Certification (CO-005)	11	<input checked="" type="checkbox"/>
Section IX I.*	Contractor Certification Clauses (CCC 04/2017)	11	<input checked="" type="checkbox"/>
Section IX J.*	Federal Certification (CO.8)	11	<input checked="" type="checkbox"/>
Section IX K.*	For Public Agencies, include a copy of the agency's board resolution or minutes authorizing signature on this document, and a delegation of authority, if applicable	11	<input checked="" type="checkbox"/>

All Sections must be included in the CFA package, as applicable
 *Bolded sections require a signature



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval: 

File No.: 6.01.247

TOPIC: ALBERT PARK FENCING AND NETTING

SUBJECT: ALBERT PARK FENCING AND NETTING PROJECT, CITY PROJECT NO. 11372 BID REJECTION

RECOMMENDATION: Reject the bid for the Albert Park Fencing and Netting Project and direct staff to develop design alternatives.

BACKGROUND: The Library and Recreation Department notified the Public Works Department about a concern of errant balls creating a possible hazard to patrons and vehicles at the well-utilized baseball field at Albert Park. Therefore, the City created a project that includes the installation of fencing and netting at the Albert Park Athletic field and stadium between Andersen Drive, Albert Park Lane, and Lindaro Street. The project consists of the removal of existing lower height fencing, installation of a 40-ft tall foul ball netting with foundations along the first and third base lines and replacing 6-foot chain-link fence in a new configuration near the third base concessions.

BKF Engineers was hired to design the fencing and netting plans. The design included a geotechnical study report by RGH Consultants that generated geotechnical information for the design depths of the netting foundation poles.

ANALYSIS: On October 7, 2021 the project was advertised in accordance with San Rafael's Municipal Code. On October 21, 2021 the bid opening was held, but no bids were received. On November 1, 2021 the project was re-advertised in accordance with San Rafael's Municipal Code. On November 18, 2021 the following bid was received and read aloud:

<u>NAME OF BIDDER</u>	<u>AMOUNT</u>
Arrow Fencing	\$595,039.40

The construction bid has been reviewed by Public Works staff and the low bid from Arrow Fencing in the amount of \$595,039.40 was found to be much higher than the anticipated estimate of \$295,000. Due to insufficient funding from the Measure A Parks Fund (Fund #241), staff recommends rejecting the bid from Arrow Fencing and to develop design alternatives.

FISCAL IMPACT: If City Council rejects the bid, then there will be no fiscal impact.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

OPTIONS:

1. Reject bid and direct staff to develop design alternatives.
2. Accept the bid and direct staff to identify a funding source to support the project.
3. Reject bid and direct staff to stop work on the project.



SAN RAFAEL
THE CITY WITH A MISSION

Agenda Item No: 5.k

Meeting Date: January 18, 2022

SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

**Prepared by: Bill Guerin,
Director of Public Works**

City Manager Approval:  _____

File No.: 07.04.12

TOPIC: CALTRANS LOCAL PROCEDURES

SUBJECT: RESOLUTION ADOPTING CHAPTER 10 OF THE CALTRANS LOCAL ASSISTANCE PROCEDURES MANUAL ENTITLED "CONSULTANT SELECTION", AS WELL AS ALL FUTURE UPDATES, AS THE PROCESS BY WHICH THE CITY PROCURES ARCHITECTURAL AND ENGINEERING CONSULTANT SERVICES RELATED TO FEDERAL AND STATE FUNDED TRANSPORTATION PROJECTS

RECOMMENDATION: Adopt the resolution adopting Chapter 10 of the Caltrans Local Assistance Procedures Manual entitled "Consultant Selection", as well as all future updates, as the process by which the City procures architectural and engineering consultant services related to federal and state funded transportation projects.

BACKGROUND: The City of San Rafael manages many capital improvement projects every year, some of which are funded with federal or state grants. The federal government has granted Caltrans oversight authority of these federal funds, which are administered by the Caltrans Office of Local Assistance. As the administering agency of federal and state funds, Caltrans has created the Local Assistance Procedures Manual (LAPM) which guides, directs, and outlines all the requirements that cities across the State of California are required to adhere to when receiving federal or state funds on transportation projects. The LAPM undergoes frequent updates to incorporate changes in federal law and procedures.

A recent update to the LAPM required the City to adopt Chapter 10 of the LAPM for the selection of architectural and engineering consultants. While the City has always followed the process and procedures outlined in the LAPM, Caltrans requires Council adoption to ensure City staff are fully aware of the current federal requirements. Pursuant to City Council [Resolution No. 14573](#), the City approved adopting Chapter 10 of the LAPM on September 4th, 2018.

FOR CITY CLERK ONLY

File No.: _____

Council Meeting:

Disposition: _____

ANALYSIS: After submitting a copy of City Council Resolution No. 14573 for review, Caltrans commented that the resolution did not have required language showing that the City's adoption of Chapter 10 of the LAPM includes any future updates. In response, this resolution clarifies that the City's adoption of Chapter 10 includes future updates and changes to the chapter.

FISCAL IMPACT: There is no fiscal impact associated with this item.

OPTIONS: The City Council has the following options to consider relating to this matter:

1. Adopt the resolution as presented.
2. The City Council may decline to adopt the resolution, in which case the City would become ineligible to use federal or state funds for consultant services for projects administered through Caltrans Office of Local Assistance.

RECOMMENDED ACTION: Adopt the resolution as presented.

ATTACHMENTS:

1. Resolution
2. Chapter 10, *Consultant Selection*, Caltrans Local Assistance Procedures Manual

RESOLUTION NO.

RESOLUTION OF THE SAN RAFAEL CITY COUNCIL ADOPTING CHAPTER 10 OF THE CALTRANS LOCAL ASSISTANCE PROCEDURES MANUAL ENTITLED “CONSULTANT SELECTION”, AS WELL AS ALL FUTURE UPDATES, AS THE PROCESS BY WHICH THE CITY PROCURES ARCHITECTURAL AND ENGINEERING CONSULTANT SERVICES RELATED TO FEDERAL AND STATE FUNDED TRANSPORTATION PROJECTS

WHEREAS, the City of San Rafael receives transportation funds from the Federal and State governments which are administered through the Caltrans Office of Local Assistance; and

WHEREAS, Caltrans requires local agencies that receive federal or state funding for consultant services to adopt by resolution Chapter 10 of the Local Assistance Procedures Manual (LAPM), setting forth the policies and procedures to be used for consultant selection; and

WHEREAS, pursuant to City Council Resolution No. 14826 on September 4, 2018, the City Council adopted Chapter 10 of the LAPM; and

WHEREAS, City staff submitted Resolution No. 14826 to Caltrans for review. Caltrans commented that the resolution did not have required language showing that the City’s adoption of Chapter 10 also includes any future updates; and

WHEREAS, City staff has prepared this resolution to clarify that the City’s adoption of Chapter 10 of the LAPM includes any future updates and changes.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN RAFAEL RESOLVES as follows:

1. The Council hereby adopts Chapter 10 of the Caltrans Local Assistance Procedures Manual entitled “Consultant Selection”, as well as all future updates to that chapter, as the process by which the City procures architectural and engineering consultant services related to federal and state funded transportation project.

I, LINDSAY LARA, Clerk of the City of San Rafael, hereby certify that the foregoing resolution was duly and regularly introduced and adopted at a regular meeting of the Council of said City on Tuesday, the 18th day of January 2022, by the following vote, to wit:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBERS:

ABSENT: COUNCILMEMBERS:

LINDSAY LARA, City Clerk

Chapter 10 Consultant Selection

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Exhibits

[Exhibit 10-A: A&E Consultant Financial Document Review Request](#)

[Exhibit 10-B: Suggested Consultant Evaluation Sheet](#)

[Exhibit 10-G: Individual A&E Task Order DBE Tracking Sheet](#)

[Exhibit 10-H: Sample Cost Proposal \(Example #1 through #4\)](#)

[Exhibit 10-I: Notice to Proposers DBE Information](#)

[Exhibit 10-K: Consultant Annual Certification of Indirect Costs and Financial Management System](#)

[Exhibit 10-O1: Consultant Proposal DBE Commitment](#)

[Exhibit 10-O2: Consultant Contracts DBE Commitment](#)

[Exhibit 10-Q: Disclosure of Lobbying Activities](#)

[Exhibit 10-R: A&E Boiler Plate Agreement Language](#)

[Exhibit 10-S: Consultant Performance Evaluation](#)

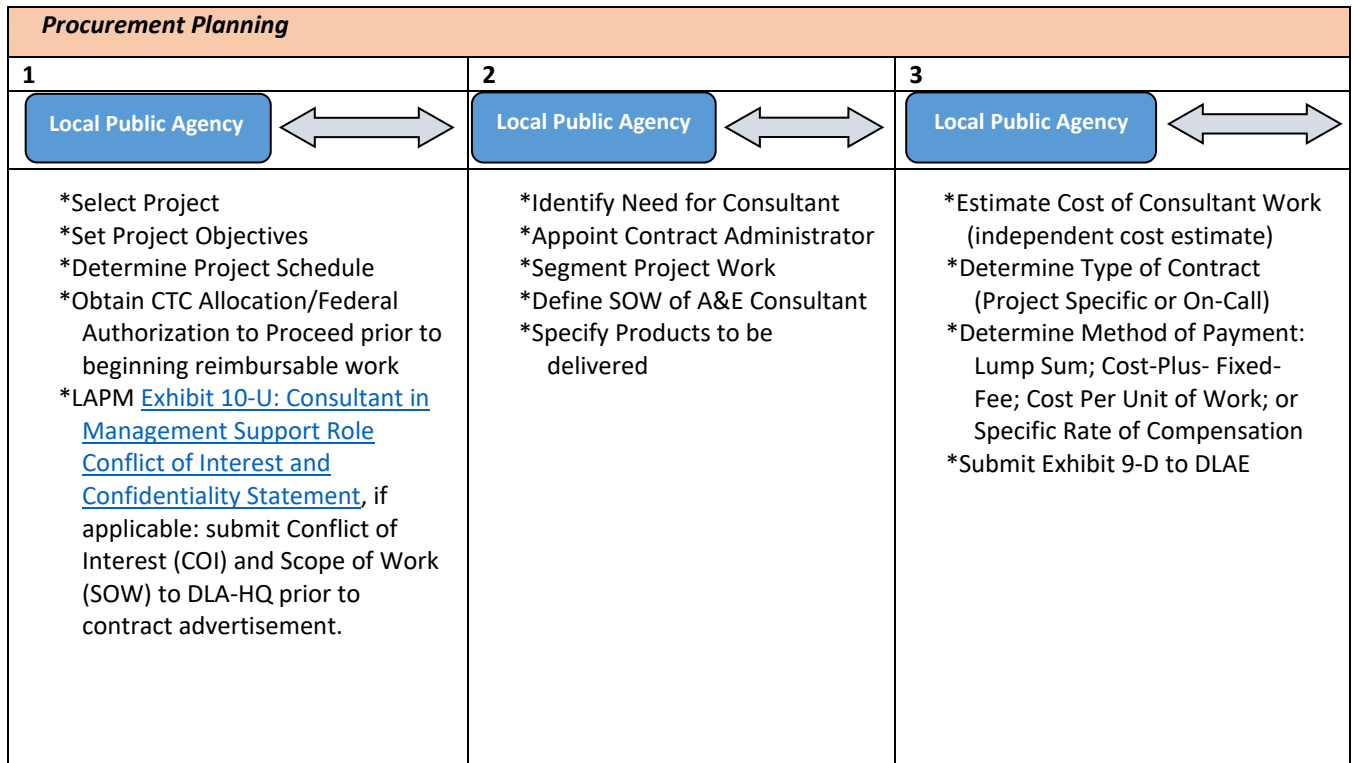
[Exhibit 10-T: Conflict of Interest & Confidentiality Statement](#)

[Exhibit 10-U: Consultant in Management Support Role Conflict of interest and Confidentiality Statement](#)

All LAPM Exhibits are located at:




<https://dot.ca.gov/programs/local-assistance/forms/local-assistance-procedures-manual-forms>

10.1 FEDERALLY FUNDED A&E CONTRACTS



A&E = Architectural and Engineering
IOAI = Caltrans Independent Office of Audits and Investigations
CT = Caltrans
DBE = Disadvantaged Business Enterprise
DLA = Division of Local Assistance
DLAE = District Local Assistance Engineer
DLA-HQ = Division of Local Assistance-Headquarters
LAPG = Local Assistance Program Guidelines
LAPM = Local Assistance Procedures Manual
MOP = Method of Payment
RFP = Request for Proposal
RFQ = Request for Qualifications
SOQ = Statement of Qualifications
SOW = Statement/Scope of Work

Figure 10-1: A&E Contract Procurement Process Workflow Diagram

Solicitation Documents and Advertisement		
4	5	6
		
<ul style="list-style-type: none"> *Determine Solicitation Document; RFP or RFQ *Appoint Consultant Selection Committee *Collect signed Conflict of Interest forms and Confidentiality Statements (see Exhibit 10-T: Conflict of Interest & Confidentiality Statement) from all members involved in process *Determine Procurement Schedule *Develop Technical Criteria with level of importance (weights) for Evaluation of Proposals or the SOQ 	<ul style="list-style-type: none"> *Prepare RFP or RFQ documents *Include SOW, evaluation process/criteria, DBE goals, MOP and cost proposal format (see Exhibit 10-H: Sample Cost Proposal) minimum requirement of Proposal or SOQ, Notice to Proposers DBE Information (see Exhibit 10-I: Notice to Proposers DBE Information), submittal deadline *Advertise RFP or RFQ on public forum (newspaper, technical publications, Web Hosting Site, other local websites) *Issue RFP or RFQ (direct mailing, web posting) 	<ul style="list-style-type: none"> *Prepare to respond to RFP/RFQ questions *Conduct Proposers Conference, if applicable *Receive Proposals or SOQs

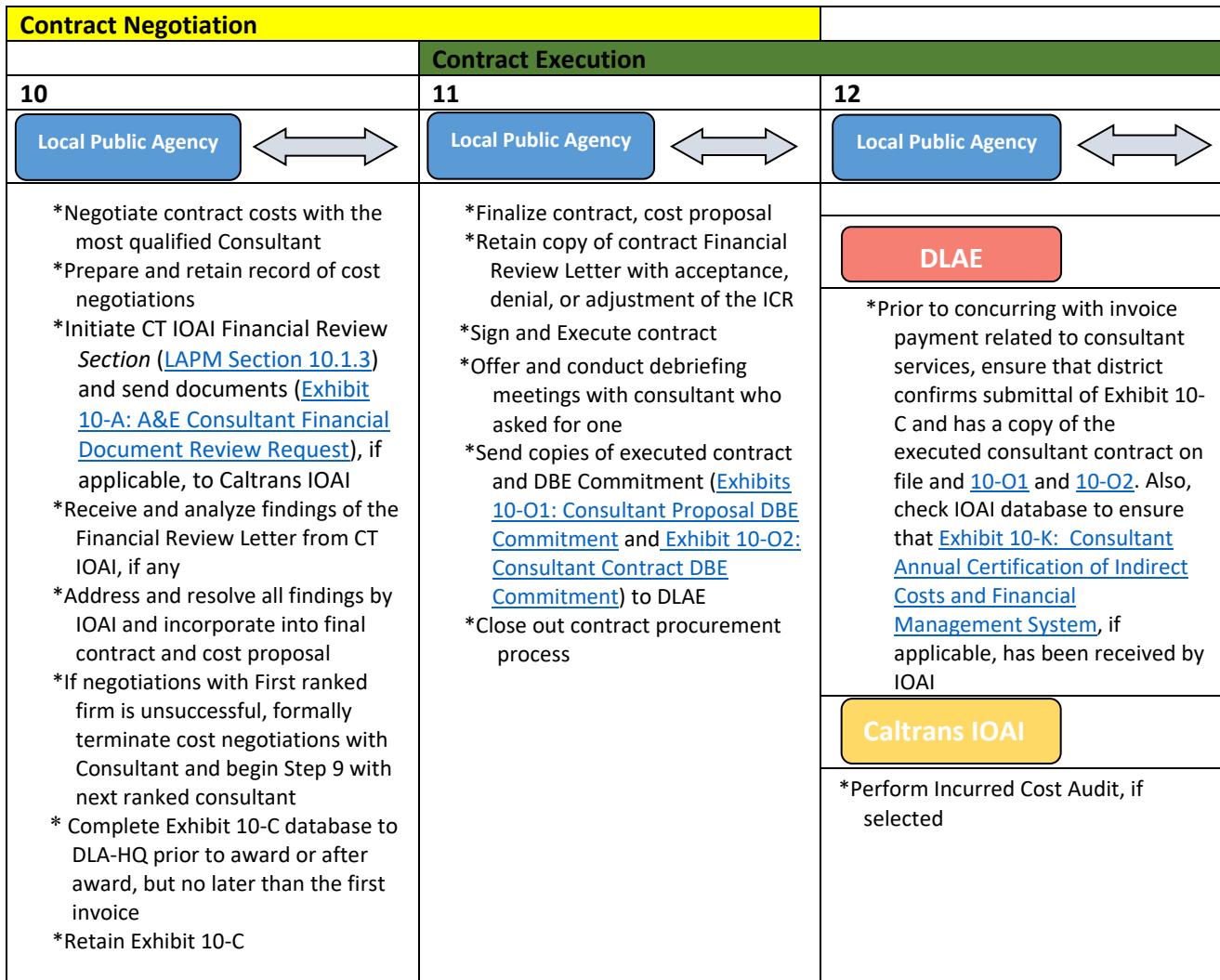
A&E = Architectural and Engineering
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Figure 10-1: A&E Contract Procurement Process Workflow Diagram- continued

Evaluation and Selection of Consultant		
		Contract Negotiation
7	8	9
<div style="border: 1px solid black; background-color: #4F81BD; color: white; padding: 5px; display: inline-block;">Local Public Agency</div> ↔	<div style="border: 1px solid black; background-color: #4F81BD; color: white; padding: 5px; display: inline-block;">Local Public Agency</div> ↔	<div style="border: 1px solid black; background-color: #4F81BD; color: white; padding: 5px; display: inline-block;">Local Public Agency</div> ↔
<ul style="list-style-type: none"> *Distribute Proposals or SOQs to Selection Committee members *Ensure Committee members receive the appropriate score sheet to use (see Exhibit 10-B: Suggested Consultant Evaluation Sheet) *Convene Selection Committee and evaluate submittals; Perform reference checks *Develop Final Ranking or Short List *Notify proposers of ranking/Short List *Retain all original score sheets and summaries 	<ul style="list-style-type: none"> *Send out RFPs to Short List (two-step process) *Conduct Interview of Short List (if needed) *Develop Final Ranking of Consultants, and notify all interviewees *Retain all original score sheets and summaries *Provide a copy of Standard Contract language to top ranked consultant and invite for negotiations (see Exhibit 10-R: Boiler Plate Agreement Language for standard contract language and provisions) 	<ul style="list-style-type: none"> *Open and analyze cost proposal from the Highest Ranked firm <div style="border: 1px solid black; background-color: #FFD700; text-align: center; padding: 5px; margin: 10px 0;"> Caltrans IOAI </div> <ul style="list-style-type: none"> *Review and evaluate 10-A package and supporting documents, if applicable *Issue Financial Review Letter, if applicable *Perform contract audits and reviews, if applicable, or review of CPA audited ICR workpapers to issue Cognizant Letter of Approval

A&E = Architectural and Engineering
IOAI = Caltrans Independent Office of Audits and Investigations
CT = Caltrans
DBE = Disadvantaged Business Enterprise
DLA = Division of Local Assistance
DLAE = District Local Assistance Engineer
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LAPG = Local Assistance Program Guidelines
LAPM = Local Assistance Procedures Manual
MOP = Method of Payment
RFP = Request for Proposal
RFQ = Request for Qualifications
SOQ = Statement of Qualifications
SOW = Statement/Scope of Work

Figure 10-1: A&E Contract Procurement Process Workflow Diagram- continued



A&E = Architectural and Engineering
IOAI = Caltrans Independent Office of Audits and Investigations
CT = Caltrans
DBE = Disadvantaged Business Enterprise
DLA = Division of Local Assistance
DLAE = District Local Assistance Engineer
DLA-HQ = Division of Local Assistance-Headquarters
LAPG = Local Assistance Program Guidelines
LAPM = Local Assistance Procedures Manual
MOP = Method of Payment
RFP = Request for Proposal
RFQ = Request for Qualifications
SOQ = Statement of Qualifications
SOW = Statement/Scope of Work

Figure 10-1: A&E Contract Procurement Process Workflow Diagram- continued

10.1.1 General

Introduction

A Local Public Agency (LPA) may engage consultants to perform architectural, engineering, and related services to develop a federal-aid funded project. LPAs requesting federal funds to reimburse A&E Consultants must follow the selection and contracting procedures detailed in Section 10.1 of this chapter. [LPAs using local funds to procure an A&E Consultant on a federal-aid funded project and will not seek federal reimbursement for the consultant cost may choose not to follow the selection and contracting procedures detailed in Section 10.1 of this chapter.](#) LPAs using local funds to procure a consultant in a management support role are required to obtain FHWA approval, see [Section 10.1.9: Retaining a Consultant as an Agency Engineer or in Management Support Role](#) of this chapter.

Definition of an Architectural and Engineering Consultant

23 CFR 172 and Government Code 4252 further defines A&E services as those private consulting firms providing architectural, landscape architectural, engineering, environmental, land surveying, construction engineering, or program management are termed Architectural and Engineering (A&E) Consultants.

Architectural and Engineering Consultants

The Brooks Act (40 USC, Section 1104) requires LPAs to award federally funded engineering and design related contracts based on fair and open competitive negotiations, demonstrated competence, and professional qualifications (23 CFR 172), at a fair and reasonable price (48 CFR 31.201-3).

Cost proposals submitted to the LPA must be sealed and must not be included as a criterion for rating such consultants. After ranking, cost negotiations [will](#) begin with the most qualified consultant and only their cost proposal will be opened. Should negotiations fail or result in a price that the LPA does not consider fair and reasonable, negotiations must be formally terminated, and the LPA must then undertake negotiations with the second most qualified consultant.

If the negotiations with the second most qualified firm are not successful, negotiations must be formally terminated and the LPA must then undertake negotiations with the third most qualified consultant, and so on, until the price is determined to be fair and reasonable by the LPA.

In selecting an A&E consultant, a detailed technical proposal or qualifications proposal, and a proposed contract will be required.

Depending upon the scope of work, the required contract provisions may need to include the California State Prevailing Wages (Federal Payment of Predetermined Minimum Wage applies only to federal-aid construction contracts). Prevailing wages will apply if the services to be performed will involve land surveying (such as flag persons, survey party chief, rodman or chainman), materials sampling and testing (such as drilling rig operators, pile driving, crane operators), inspection work, soils or foundation investigations, environmental hazardous materials and so forth. California State Prevailing Wage information is available through the California Department of Industrial Relations websites below:

Consultants will need to provide their Prevailing Wage Policy if their participation on the project includes prevailing wage work. The policy will include information on the accounting treatment of delta base and delta fringe, and verify the accounting treatment is consistent every year.

- DIR FAQ [website](#)
- DIR Wage Determination [website](#)
- [Caltrans Prevailing Wage Interpretive Guidance](#)

Non-A&E Consultants

Consultants other than A&E consultants may be selected using cost, cost and qualifications (best value) or other critical selection criteria. The procedures outlined in this chapter can be modified for selecting non-A&E consultants by adding a cost item to the contract proposal.

For more details on non-A&E consultants, see [Section 10.3: Non-A&E Contracts](#) of this chapter.

Selecting the Project

The LPA is responsible for selecting and initiating a federal-aid financed transportation project. The decision to begin project development is influenced by the project needs, its acceptability, the timing of studies, financing, and construction. The LPA must identify the project's objectives including the general level of improvement or service, operating standards, maximum cost and the target date for project completion before commencing any consultant selection process.

Subcontracted Services

The consultant is responsible for performing the work required under the contract in a manner acceptable to the LPA. The consultant's organization and all associated consultants and subconsultants must be identified in the proposal. If the consultant wishes to use a subconsultant not specified in the proposal, prior written approval must be obtained from the LPA. The subcontract must contain all required provisions of the prime contract. All subawards must include adequate oversight, management, and administration of engineering and design related consultant services and be administered in accordance with State laws and procedures specified in 23 U.S.C.106(g)(4) and 2 CFR 200.331.

Organizational and Consultant Conflicts of Interest

In the procurement of contracts for engineering services by private consulting firms using federal-aid highway funds, LPAs must take all the steps necessary to prevent fraud, waste, and abuse. The LPA must develop and maintain a written code of conduct governing the performance of its employees (including the contract administrator) engaged in the award and administration of federal-aid highway funded contracts, including the prevention of conflicts of interest in accordance with 23 CFR 172.7(b)(4).

A conflict of interest occurs when a public official's private interests and his or her public duties and responsibilities diverge or are not consistent. Conflicts of interest may be direct or indirect (e.g., as result of a personal or business relationship). The appearance of a conflict of interest should be avoided as an apparent conflict may undermine public trust if not sufficiently mitigated.

Federal Regulation Governing Conflict of Interest (23 CFR 172.7(b)(4)) requires that:

- LPA must maintain a written code of standards of conduct for employees engaged in the award and administration of engineering and design service contracts;

- No contracting agency employee who participates in the procurement, management, or administration of federal funded contracts or subcontracts must have, directly or indirectly, any financial or other personal interest in connection with such contract or subcontract;
- No person or entity performing services for a contracting agency in connection with a federal funded project must have, directly or indirectly, any financial or other personal interest, other than employment or retention by the contracting agency, in any contract or subcontract in connection with such project;
- No person or entity performing services for a contracting agency in connection with a federal-aid highway funded project must have, directly or indirectly, any financial or other personal interest in any real property acquired for the project;
- No contracting agency employees or agents must neither solicit nor accept gratuities, favors, or anything of monetary value from consultants, potential consultants, or parties to sub-agreements;
- LPA must disclose in writing any potential conflict of interest to FHWA.

Consultants Performing Work on Multiple Phases of Federal-aid Projects

LPAs sometimes wish to hire the same consultant firm to perform construction engineering and/or inspection services on the same project on which the firm also performed design services. This can cause project delivery efficiencies, as the design firm is well-suited to verify that the project is being constructed in accordance with the design and can resolve issues related to the design on behalf of the contracting agency. However, this may also pose a potential conflict of interest if the firm has a vested financial interest in failing to disclose deficiencies in its design work product and seeks to insulate itself from pecuniary liability in subsequent phases of the project, such as minimizing or ignoring design errors and omissions, rather than serving the best interests of the contracting agency and the public. Procuring a different firm from the design firm to provide the construction engineering and/or inspection services provides another level of review and reduces the risk of, or potential for, a conflict of interest.

Although federal regulations do not expressly prohibit the same firm from providing services on subsequent phases, the LPAs are responsible for ensuring the public interest is maintained throughout the life of a project and that a conflict of interest, real or apparent, does not occur or is sufficiently mitigated by appropriate public agency controls. Prior to allowing a consulting firm to provide services on subsequent phases of the same project, the contracting agency must establish appropriate compensating controls in policies, procedures, practices, and other safeguards to ensure a conflict of interest does not occur in the procurement, management, and administration of consultant services.

When design and construction phase services are procured under a single solicitation, the selection of the consulting firm must be based on the overall qualifications to provide both design and construction phase services, which require different skill sets, experience, and resources. Procuring these services under different solicitations may result in selection of a more qualified firm to perform services in each phase, as the most qualified firm to perform design phase services may not be the most qualified firm to provide construction phase services. Similarly, the qualifications and capacity of a firm may change over time. As such, it may not be appropriate to contract with a consulting firm to provide construction phase services at the outset of a design phase, knowing that these services may not be needed for an

extended period until the preconstruction phase of the project is complete and construction funding authorized. The contract with a consulting firm providing design phase services on a project may not be amended to include construction phase services unless the desired construction phase services were included within the original advertised scope of services and evaluation criteria of the solicitation from which a qualifications-based selection was conducted. All consultants acting in a management support role must complete [Exhibit 10-U: Consultant in Management Support Role Conflict of Interest and Confidentiality Statement](#) (see [Section 10.1.9: Miscellaneous Considerations](#) in this chapter) and retain it in the LPA files.

Miscellaneous Considerations Authorization to Proceed

The Federal Highway Administration (FHWA) must give the LPA an Authorization to Proceed (E-76) with the work prior to performing of any work for which federal reimbursement is to be requested, (see the [LAPM Chapter 3: Project Authorization](#)). Eligible consultant contracts may be procured using local funds prior to receiving the E-76, but reimbursement is for work performed after the E-76 authorization date. If contract is procured using state or local funds, federal procedures must have been followed if seeking federal reimbursement. For state funded projects see [Section 10.2: State-Only Funded A&E Contracts](#) and [LAPG Chapter 25: State Programs for Local Agency Projects](#), for guidance on when work may proceed.

Copies of the Authorization to Proceed and the consultant contract must be retained in the LPA project files for future audit.

10.1.2 Identifying & Defining a Need for Consultants

The need for a consultant is identified by comparing the project's schedule and objectives with the LPA's capabilities, its staff availability of the required expertise, and its funding resources. If the LPA does not have sufficient staff capabilities, it may solicit assistance from another agency, or use a qualified private consultant to perform the required work.

If the LPA determines that there is a need to solicit assistance from another LPA, or to use a consultant, the District Local Assistance Engineer (DLAE) should be notified if federal-aid funds are to be requested for the project segment to be contracted out.

Appointing the Contract Administrator

The Contract Administrator is responsible for ensuring the quality of consultant contract products or services. The Contract Administrator is appointed as soon as the need for consultant services is identified. The Contract Administrator is involved throughout the development of the selection process and the contract provisions, and in the administration of the consultant's work. The Contract Administrator must be a qualified LPA employee or have staff that is qualified to ensure the consultant's work is complete, accurate, and consistent with the terms and conditions of the consultant contract. On federal-aid contracts, the Contract Administrator or staff members must be a full-time employee and familiar with the work to be contracted out and the standards to be used. The Contract Administrator must also abide by the laws, regulations and policies required as part of accepting federal or state funding for their project. Non-compliance with the laws, regulations, and policies may result in loss of project funding.

The Contract Administrator's duties are listed in 23 CFR 172.9(d)(1) and include:

- Contract negotiation, contract payment, and evaluation of compliance performance, and quality of services provided by the consultant;

- Being familiar with the contract requirements, scope of services to be performed, and products to be produced by the consultant;
- Being familiar with the qualifications and responsibilities of the consultant's staff and evaluating any requested changes in key personnel;
- Scheduling and attending progress and project review meetings, commensurate with the magnitude, complexity, and type of work, to ensure the work is progressing in accordance with established scope of work and schedule milestones;
- Documenting contract monitoring activities and maintaining supporting contract records as specified in 2 CFR 200.333;
- Provides direction to ensure the proposed work is advertised properly;
- Prepares and distributes the Request for Qualifications (RFQ), description of work, and Request for Proposals (RFP), if used;
- Prepares the draft contract;
- Arranges for preparation before an independent estimate of the value of the work to be contracted out;
- Ensures that the selection procedures are followed;
- Analyzes the selected/best-qualified consultant's cost proposal;
- Ensures contract audit and review procedure is followed;
- Ensures that fee/profit negotiation is conducted and keeps records;
- Serves as the LPA's primary contact person for the successful consultant;
- Monitors the consultant's progress and provides direction;
- Ensuring consultant costs billed are allowable in accordance with the Federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant's work;
- Identifies other LPA staff for the consultant to contact, if needed;
- Closes out the contract at completion, by processing the final invoice; completing a mandatory consultant evaluation, and final DBE utilization reports ([Exhibit 17-F: Final Report Utilization of Disadvantaged Business Enterprises \(DBE\) and First-Tier Subcontractors](#)) or [Exhibit 17-F1: Final Report-Utilization of Disadvantaged Business Enterprises \(DBE\) and First-Tier Subcontractors for On-Call Contracts](#).

Segmenting Consultant Work

Consultant services are most effective when consultant work is segmented appropriately. The extent of segmenting depends upon the type and complexity of the work. Combining preliminary engineering tasks with the preparation of the required environmental analysis is normally desirable. Preparing an Environmental Assessment (EA) or Environmental Impact Statement (EIS) is more than simply writing a report. Assessment and impact reports include preliminary engineering needed to analyze project alternatives and produce an engineering and planning assessment. Initial project studies include only as much traffic and engineering analysis of alternatives, as is needed to produce a sound EA or EIS (see [LAPM Chapter 6 Environmental Procedures](#) and [Standard Environmental Reference \(SER\) Chapters 31: Environmental](#)

[Assessment \(EA\)/Finding of No Significant Impact \(FONSI\)](#) and [Chapter 32: Environmental Impact Statement \(EIS\)](#). Final design must not begin until NEPA environmental approval has been received if federal reimbursement is desired.

Refer to Figure 10-2: Segmenting Consultant Work below, which illustrates several satisfactory ways to segment consultant activities.

	Well-structured Projects With Simple Right of Way Requirements	Well-structured Projects With Complex Right of Way Requirements	More Difficult Projects	Very Complex Projects
Preliminary Engineering				
Environmental Analysis				
Plans, Specifications & Estimates				
Right of Way Activities				
Utility Relocation				
Construction Engineering				

Figure 10-2: Segmenting Consultant Work

Specify Products to be Delivered

The Contract Administrator identifies the products and services to be delivered as a result of consultant contract work, and minimum qualification of consultant professionals and staff. These vary depending upon the type of projects and the phase of project development being addressed.

Scope of Consultant Work

The scope of work, which the contract must include, is a detailed description of the products or services the consultant is to provide. From a detailed scope of work, consultants respond to a project advertisement; determine personnel and time requirements; and develop a technical proposal. Therefore, the scope of work must be clear, concise, complete, and describe the deliverables, standards for design and other work, quality control measures, acceptance criteria and deadlines.

Title VI Assurances

Title VI Assurances Appendices A and E must be included in each consultant contract. Include Title VI Assurances Appendices B, C, and D if applicable. The consultant must include the Title VI Assurances Appendices A and E, and if applicable Appendices B, C, and D in all subcontracts to perform work under the contract. Include Title VI Assurances Appendices B, C, and D if applicable. Refer to [Exhibit 10-R: A&E Boilerplate Agreement Language, Article XXXII Title VI Assurances](#).

Non-Discrimination Clause

The Non-Discrimination Clause ([Exhibit 10-R: A&E Boilerplate Agreement Language](#), Article XVI Non-Discrimination Clause and Statement of Compliance) must be included in each consultant contract. The consultant must include the non-discrimination and compliance provisions of the Non-Discrimination Clause in all subcontracts to perform work under the contract.

Disadvantaged Business Enterprise (DBE) Participation

When administering federal-aid projects, federal regulations (49 CFR, Part 26) require an LPA to comply with the DBE program, and take necessary steps to ensure that DBE firms have the opportunity to participate in the projects. Refer to [Chapter 9: Civil Rights and Disadvantaged Business Enterprises](#) for DBE requirements for A&E Consultant Contracts.

Estimated Cost of Consultant Work

An independent estimate for cost or price analysis is needed for all consultant contracts (23 CFR 172.7(a)(1)(v)(B)) to ensure that consultant services are obtained at a fair and reasonable price. The estimate **must be** prepared **prior to opening the** cost proposal from the top-ranked consultant, so the LPA has a cost comparison to evaluate the reasonableness of the consultant's cost proposal. The estimate, which is specifically for the use of the LPA's negotiating team, is to be kept confidential and maintained for records.

A good cost estimate can be prepared only if the scope of work is defined clearly. The scope of work must include a list of the products or services which the consultant is required to deliver, and a time schedule of when they must be delivered.

It should be stressed that all work to be derived from the consultant services, such as preliminary design, environmental or final design, must be clearly identified in the solicitation of consultant services (RFQ or RFP) and included in the cost estimate. The addition of work to the original scope by amendment should be avoided whenever possible. Contract modifications are required for any amendments to the terms of the existing contract that change the cost of the contract; significantly change the character, scope, complexity, or duration of the work; or significantly change the conditions under which the work is required to be performed.

Some of the costs estimating techniques are:

Analogous Estimating:

Analogous cost estimating is using the actual cost of a previous, similar contract as the basis for estimating the cost of the current contract. Analogous cost estimating is frequently used to estimate costs when there is a limited amount of detailed information about the project.

Analogous cost estimating is generally less accurate, and it is most reliable when previous projects are similar in fact, and not just in appearance, and it uses expert judgment.

Parametric Estimating:

Parametric estimating is a technique that uses statistical relationship between historical data and other variables to calculate a cost estimate for an activity resource. This technique can produce a higher level of accuracy depending upon the sophistication, as well as underlying resource quantity and the cost data. A cost example would involve multiplying the planned quantity of work by the historical cost per unit to obtain the estimated cost of the contract.

Bottom-up Estimating:

This technique involves estimating the cost for individual work in the contract with the lowest level of detail. This detailed cost is then summarized or rolled up to determine a total cost of contract. Cost detail should include estimated hours per task, labor hourly cost for professional and non-professional classifications, subconsultant costs, other project direct costs, and profit. Labor costs should be broken down to direct labor and indirect cost rates, if possible.

If more than one project or phase of work is to be developed within the consultant contract, separate cost estimates are required for each project or phase of work. Separate cost estimates are required for each milestone and portion of the work expected to be subcontracted.

For on-call (as-needed) contracts, the cost estimate/analysis should include at minimum, a historical analysis of annual needs for consultant work, professional labor cost and market analysis, and reasonable profit analysis.

Determine Type of Contract

Types of contracts to be used are described as follows:

- Project-specific contract is between the LPA and consultant for the performance of services and a defined scope of work related to a specific project or projects.
- Multi-phase contract is a project-specific contract where the defined scope of work is divided into phases which may be negotiated and executed individually as the project progresses.
- On-call contract is a contract that may be utilized for a number of projects, under which task or work orders are issued on an as-needed basis, for an established contract period and maximum total contract dollar amount. On-call contracts are typically used when a specialized service of indefinite delivery or indefinite quantity is needed for a number of different projects, such as construction engineering, design, environmental analysis, traffic studies, geotechnical studies, and field surveying, etc. Many agencies use these contracts to address peaks in workload of in-house engineering staff and/or to perform a specialized service which the agency does not have. On-call contracts must specify a reasonable maximum length of contract, not to exceed 5 years, and a maximum total contract dollar amount (23 CFR 172). The maximum dollar amount for all contracts awarded under the solicitation **must be** stated in the solicitation. The maximum dollar amount is the aggregate of the on-call contracts anticipated to be awarded. **For example, if the solicitation lists that up to 5 contracts may be awarded, the aggregate amount of these 5 contracts is the maximum contract dollar amount. Setting maximum amount on each on-call contract under a multiple on-call solicitation does not meet the intent of 23 CFR172.** How many contracts are anticipated to be awarded must be stated in the solicitation. How task orders will be issued must be stated in the solicitation.

There are two options on how task orders must be awarded under multiple on-call contracts for the same type of service under the same solicitation:

1. **Through an additional qualifications-based selection procedure also known as mini-RFP.**
 - **Solicit task order to the multiple on-call consultants on the master on-call contracts**

- Master on-call contracts are contracts awarded to on-call consultants at the initial RFQ/RFP procurement process.
 - Solicitation may be informal, e.g. email, letter, etc.; documentation is required.
 - Evaluation criteria must be included in the solicitation. The mini-RFP contains evaluation criteria that matches the strengths of the qualified firms to the specifics of the known tasks, thereby selecting the most qualified firm for each task.
 - The evaluation criteria can include:
 - i. availability of personnel,
 - ii. staff capabilities,
 - iii. DBE (10% or less of overall score); the overall DBE goal was established at the master on-call contract,
 - iv. completion of time,
 - v. experience of consultant
 - vi. specialized expertise, and past performance.
 - Evaluate and rank proposals and select from the multiple on-call contracted consultants
 - Recommend at least three panel members to evaluate and rank
 - Evaluate based on criteria in mini-RFP solicitation
 - Negotiate and award to the on-call contracted consultant
 - The mini-RFP or the task order will be negotiated with first ranked firm from each competition. Task order (mini-RFP) cost will be based on wage rates established in the master on-call contract, and the time and deliverable requirements in the task order.
 - If only one proposal is received or there is an emergency, a Non-Competitive process must be justified, and an Exhibit 12-F must be documented and signed by the DLAE
 - Awarding task order to the multiple on-call consultants on a rotational basis does not meet the intent of the qualifications-based selection
 - Exhibit 10-G must be used to track percentage of DBE per task order
2. Regional basis where each on-call consultant is contracted to a designated area.

To maintain the intent of the Brooks Act (40 USC 1101-1104) in promoting open competition and selection based on demonstrated competence and qualifications, on-call consultant contracts established through the RFQ process must meet the following requirements:

- Must define a general scope of work, complexity, and professional nature of services.
- Specify a task order procedure the LPA uses to procure project specific work under the contract.

- Task order work performed after the master on-call contract has expired will result in the costs being ineligible for federal or state reimbursement.
- If multiple consultants are to be selected and multiple on-call contracts awarded through a single solicitation for specific services, the number of consultants that may be selected or contracts that may be awarded must be identified.
- Specify procurement procedures in the contracts the LPA will use to award/execute task orders among the consultants:
 - Either through an additional qualification-based selection process (see the Two-Step RFQ/RFQ process later in this chapter), OR
 - On regional basis whereby the region is divided into areas identified in the solicitation, and consultants are selected to provide on-call services for assigned areas only. The RFP may list multiple regions that allow consultants to crossover or be a “backup” to other consultants that for specifically documented reasons are not able to perform the work in their assigned region. Per 23 CFR 172.9 (a)(3)(B)(2), the “backup” option needs to be listed in the respective contracts.

An example of acceptable contract wording in multiple on-call contracts for the same type of service:

- “Agency has or will enter into three (3) task order contracts for performance of the Scope of Services identified in Exhibit “A”, including this Agreement (“CM Services Task Order Contracts”). The other CM Services Task Order Contracts are [identify other two contracts by agreement numbers and consultant firms]. The total amount payable by Agency for the CM Services Task Order Contracts must not exceed a cumulative maximum total value of Seven Million, Five Hundred Thousand Dollars (\$7,500,000) (“NTE Sum”). It is understood and agreed that there is no guarantee, either expressed or implied that this dollar amount will be authorized under the CM Services Task Order Contracts through Task Orders. Each time a Task Order is awarded under any of the CM Services Task Order Contracts, the Agency must send written notification to Consultant and each of the other consultants entering into the CM Services Task Order Contracts. The notice must identify the total funds allocated under issued Task Orders, and the remaining unencumbered amount of the NTE Sum. Consultant acknowledges and agrees that Agency must not pay any amount under this Agreement that would exceed the NTE Sum, and Consultant must not enter into a Task Order that exceeds the NTE Sum.”

Determining the Project Schedule

The LPA develops a schedule for performance of work and completion of the project. The schedule must include sufficient time to allow for:

- Selecting the consultant;
- Developing the consultant contract;
- Completing the A&E consultant contract audit process;

- Conducting meetings and project reviews.

Determine Method of Payment

The method of payment of contract must be specified. The following four methods are permitted under 23 CFR 172.9(b) depending on the scope of services to be performed:

- Cost-Plus-Fixed Fee (see [Exhibit 10-H: Sample Cost Proposal](#), Example #1);
- Cost Per Unit of Work (see [Exhibit 10-H](#), Example #3);
- Specific Rates of Compensation (see [Exhibit 10-H](#), Example #2);
- Lump Sum (see [Exhibit 10-H](#), Example #1).

The method of payment to the consultant must be set forth in the original solicitation, contract, and in any contract modification thereto. A single contract may contain different payment methods as appropriate for compensation of different elements of work. **Markups are not allowed on any of the four methods of payment.**

The cost plus a percentage of cost and percentage of construction cost methods of payment must not be used. Both of these methods are explicitly prohibited by 23 CFR 172.9(b).

Cost-Plus-Fixed Fee

The consultant is reimbursed for costs incurred and receives an additional predetermined amount as a fixed fee (profit). Federal regulations require that profit be separately negotiated from contract costs. The determination of the amount of the fixed fee must take into account the size, complexity, duration, and degree of risk involved in the work. The fixed fee is not adjustable during the life of the contract. The fixed fee dollar amount must be clearly stated in the contract. [See the DLA A&E website for a useful tool on Profit/Fee Determination.](#)

This method of payment is appropriate when the extent, scope, complexity, character, or duration of work cannot be precisely predicted. The fixed fee limit applies to the total direct and indirect costs. Fixed fees in excess of 15 percent of the total direct labor and indirect costs of the contract may be justified only when exceptional circumstances exist. The contract must specify a reasonable maximum length of contract period and a maximum total contract dollar amount (see [Exhibit 10-H: Sample Cost Proposal Example #1](#) and [Exhibit 10-R: A&E Sample Contract Language](#), Article V, Option 1 in this chapter). The contract cost proposal must identify all key employees and/or classifications to be billed. New key employees and/or classifications must be approved by the LPA before they incur work on the contract or the costs can be questioned or disallowed. LPAs are not required to update the Exhibit 10-C: A&E Consultant Contract Database [when new key employees and/or classification are added to a contract](#). For more details, reference [Section 10.1.8. Completing the Project](#).

Cost Per Unit of Work

The consultant is paid based on specific item of work performed. The item of work must be similar, repetitive and measurable, such as [a specific](#) geotechnical investigation and material testing. This method of payment is appropriate when the cost per unit of work can be determined with reasonable accuracy in advance, but the extent or quantity of the work is indefinite. Contract payment provisions must specify what is included in the price to be paid for each item. Any item of work not identified in the contract cost proposal is not eligible for reimbursement. New items of work (those within the original scope of work only) must be

amended into the contract before work is performed. The contract must also specify a reasonable maximum length of contract period and a maximum total contract dollar amount (see [Exhibit 10-H](#), Example #3 and [Exhibit 10-R](#), Article V Option 2).

Specified Rates of Compensation

The consultant is paid at an agreed and supported specific fixed hourly, daily, weekly or monthly rate, for each class of employee engaged directly in the work. Such rates of pay include the consultant's estimated costs and net fee (profit). Federal regulations require that profit be separately negotiated from contract costs. The specific rates of compensation, except for an individual acting as a sole proprietor, are to include an hourly breakdown, direct salary costs, fringe benefits, indirect costs, and net fee. Other direct costs may be included, such as travel and equipment rentals, if not already captured in the indirect cost rate. Other direct costs regardless of amount are to be listed on the cost proposal.

This method of payment should only be used when it is not possible at the time of procurement to estimate the extent or the duration of the work, or to estimate costs with any reasonable degree of accuracy. This method should not be used for project specific contracts and is recommended for on-call contracts for specialized or support type services, such as construction engineering and inspection, where the consultant is not in direct control of the number of hours worked, and it also requires management and monitoring of the consultant's level of effort and the classification of employees used to perform the contracted work. The contract must also specify a reasonable maximum length of contract period and a maximum total contract dollar amount (see [Exhibit 10-H](#), Example #2 and [Exhibit 10-R](#), Article V Option 3).

Lump Sum

The consultant performs the services stated in the contract for an agreed amount as compensation, including a net fee or profit. This method of payment is appropriate only if the extent, scope, complexity, character, duration, and risk of the work have been sufficiently defined to permit fair compensation to be determined and evaluated by all parties during negotiations (see [Exhibit 10-H: Sample Cost Proposal](#), Example #1 and [Exhibit 10-R: A&E Sample Contract Language](#), Article V: Option 4). Normally, a lump sum contract will be paid in full at end of the contract when completed. However, a lump sum contract can be negotiated with progress payment if feasible. The progress payment must be based on percent of work complete or completion of clearly defined milestones. The contract cost proposal must document the agreed upon progress payment and include the necessary milestones costs, or the percent work complete schedule.

Changes to Exhibit 10-H requiring resubmittal to Independent Office of Audits and Investigations for review:

- Consultant/subconsultant name change
- New participating subconsultant's ICR
- Change in ICR rate

Since these changes require an amendment, the LPA is to update the Exhibit 10-C: A&E Consultant Contract Database.

A firm fixed price method of payment is not the same as lump sum. A firm fixed price contract must not be amended.

10.1.3 A&E Consultant Audit and Review Process

This section outlines the audit and review process for A&E contracts that at any time use state or federal funds. All proposed A&E contracts and supporting documents are subject to audit or review by Caltrans' Independent Office of Audits and Investigations (IOAI), other state audit organizations, or the federal government. Not all proposed contracts will be audited or reviewed; rather, they will be selected on a risk-based approach.

Applicable Standards

State and federal requirements listed below, and specific contract requirements, serve as the standards for audits and reviews performed.

LPAs, consultants, and subconsultants are responsible for complying with state, federal, and specific contract requirements. LPAs are responsible for determining the eligibility of costs to be reimbursed to consultants.

Applicable standards include, but are not limited to:

- Caltrans Local Assistance Procedures Manual (LAPM);
- State and Federal agreements between LPAs and Caltrans, (i.e. Master Agreements);
- Project Program Supplemental Agreements;
- 23 United States Code (U.S.C.), Section 112 – Letting of Contracts;
- 40 U.S.C., Chapter 11: the Brooks Act;
- 23 CFR, Chapter 1, Part 172 - Procurement, Management, and Administration of Engineering and Design Related Services;
- 23 CFR, Chapter 1- Federal Highway Administration, Department of Transportation;
- 48 CFR, Federal Acquisition Regulation (FAR), Chapter 1, Part 31- Contract Cost Principles and Procedures;
- 48 CFR, Chapter 99 – Cost Accounting Standards (CAS), Subpart 9900;
- 2 CFR 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- United States Government Accountability Office, Government Auditing Standards - Generally Accepted Government Auditing Standards (GAGAS);
- California Government Code sections 4525-4529; and
- Proposed contract terms and conditions.

See Section [10.1.11: References](#) of this chapter for links to above referenced standards.

Audit Guidance Available

The American Association of State Highway and Transportation Officials, Uniform Audit & Accounting Guide ([AASHTO Audit Guide](#)), which is referred to frequently in this section, is a valuable tool to guide LPAs, consultants and Certified Public Accountants (CPA) through the requirements for establishing, and audits of FAR compliant Indirect Cost Rates (ICR). The [AASHTO Audit Guide](#) is used extensively as an industry guide in the audit and review process.

LPAs may seek accounting assistance from internal audit staff and an independent CPA for compliance. The consultant may seek professional guidance in selecting its independent CPA. See also the [AASHTO Audit Guide](#), Ch 2.5C. Selection of CPA Firm as Overhead Auditor for guidance in the selection process. Training is also offered by FHWA's National Highway Institute (see <https://www.nhi.fhwa.dot.gov/home.aspx>). Courses offered include:

- Using the AASHTO Audit Guide for the Procurement and Administration of A&E Contracts (FHWA-NHI-231028)
- Using the AASHTO Audit Guide for the Development of A&E Consultant Indirect Cost Rates (FHWA- NHI-231029)
- Using the AASHTO Audit Guide for the Auditing and Oversight of A&E Consultant Indirect Cost Rates (FHWA-NHI-231030)

For training and additional information provided by Caltrans Local Assistance, visit the [Caltrans Local Assistance Blog](#). For FHWA's Q&A for ICRs and audits, and A&E related services, visit [FHWA](#).

Allowable Costs

23 USC 112 (b)(2)(B) states that any A&E contract or subcontract awarded, whether funded in whole or in part with federal-aid highway funds in furtherance of highway construction projects, must be performed and audited in compliance with the Federal cost principles.

LPAs are required to perform a cost analysis to ensure all costs are allowable and in compliance with federal and state requirements and retain documentation of negotiation activities and resources. Hourly rate(s) for each key personnel and/or classification of employee(s) proposed in cost proposals must be reasonable for the work performed and actual, allowable, and allocable in accordance with the Federal cost principles. Costs must be allowable only if the cost is incurred and cost estimates included in negotiated prices are allowable in accordance with the federal and state regulations and procedures, and contract provisions. Examples of Cost Analysis Worksheets are provided at Exhibit 10-H1 through 4.

LPAs are required to apply Caltrans accepted consultant or subconsultant's ICRs, to contracts. An ICR is valid for the one-year applicable accounting period accepted or audited by Caltrans. Consultants must update, on an annual basis, ICRs in accordance with the consultant's annual accounting period and in compliance with the Federal cost principles. For further guidance, refer to 23 CFR 172.11(b)(1). If the consultant is subject to Cost Accounting Standards (CAS), the consultant must use the applicable ICR for the contract.

A consultant's accepted ICR for its one-year applicable accounting period must be applied to contracts; however, once an ICR is established for a contract, it may be extended beyond the one-year applicable period, through the duration of the specific contract, provided all concerned parties agree. Agreement to the extension of the one-year applicable period must not be a condition or qualification to be considered for the work or contract award. The contract must clearly specify the ICR period if it is beyond the one-year applicable period.

Consultants must account for costs appropriately and maintain records, including supporting documentation, adequate to demonstrate that costs claimed have been incurred, and are allowable, reasonable, and allocable to the contract, and comply with Federal cost principles.

IOAI and representatives of the Federal Government have the right to conduct an audit of all contract costs. If the costs are subsequently determined to be unallowable, these costs are subject to repayment. For further guidance, refer to 23 CFR 172 and 48 CFR 31.

Generally, whenever LPAs, consultants and/or contractors are unable to provide requested documentation, it must be viewed that the services were either not performed or the costs not properly recorded. Retention of all documents is required as it reduces the possibility of audit findings and **disallowed costs**. For more references, refer to Applicable Standards in this chapter.

Safe Harbor Rate

Developing ICRs annually can place a significant burden on some small or new and emerging A&E consulting firms that lack financial sophistication to develop an ICR, as well as on other established A&E consulting firms that may not have previous experience with federally funded contracts for which an ICR would have been developed in compliance with Federal cost principles 48 CFR 31. This may create a barrier for otherwise eligible and qualified firms to compete for federally funded contracts.

To help alleviate and remove potential barriers, the Division of Local Assistance (DLA) has adopted Caltrans Division of Procurement and Contract's (DPAC) Safe Harbor Rate (SHR) process and rates which took into account LPAs' data. The SHR information and rates can be found at the following DLA A&E website: <https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/consultant-selection-procurement>. To request information regarding the SHR methodology, email the DLA A&E branch at aeoversight@dot.ca.gov. Eligible A&E consultant firms can choose to use the DLA SHR rate on new A&E contracts using federal-aid highway funds executed by LPAs in the State of California.

Use and application of the SHR by eligible firms provides reasonable assurance of consultant compliance with the Federal cost principles per 23 CFR 172.11(c)(2). A&E consulting firms approved to use the established SHR will have their accounting system evaluated for capabilities of accumulating and tracking direct labor for applying the SHR, as well as for billing other direct costs by contract, segregating indirect costs, etc.

Use of the SHR is voluntary on behalf of the A&E consulting firm and LPAs. LPAs have the discretion to determine certification of eligibility based on requirements shown on the following SHR certification form: [Consultant Firm Certification of Eligibility and Certification of Financial Management System](#).

A&E consultant firms (prime and/or sub consultants) that have not had an ICR previously accepted by a cognizant agency may elect and request to use the SHR in a contract by submitting the completed SHR certification form, [Consultant Firm Certification of Eligibility and Certification of Financial Management System](#), including the Questionnaire for Evaluating Consultant Firm's Financial Management System section, and any other documents as needed. This requirement is in addition to the A&E Consultant Audit and Review Process requirements described in this chapter.

It is the LPA's responsibility to:

- Collect and screen all requests to use the safe harbor indirect cost rate. See SHR certification form, [Consultant Firm Certification of Eligibility and Certification of Financial Management System](#), including the Questionnaire for Evaluating Consultant Firm's Financial Management System section.

- Submit all SHR documents to the Independent Office of Audits & Investigations (IOAI) as part of the A&E Consultant Financial Document Review Request (Exhibit 10-A) package. The IOAI email address is: Conformance.Review@dot.ca.gov.

Requests to use the safe harbor indirect cost rate must be accepted/approved by IOAI **before** contracts are executed.

Approval or Acceptance of Indirect Cost Rates

Cognizant Letters of Approval

A cognizant approved ICR has been audited by a Cognizant agency (a State transportation agency of the State where the consultant's accounting and financial records are located or a State transportation agency to which cognizance for the particular indirect cost rate(s) of a consulting firm has been delegated or transferred to in writing by the State transportation agency where the consultant's accounting and financial records are located) in accordance with generally accepted government auditing standards to test compliance with the requirements of the Federal cost principles (per 48 CFR 31) and the cognizant agency has either 1) issued an audit report of the consultant's indirect cost rate or 2) conducted a review of an audit report and related workpapers prepared by a certified public accountant and issued a letter of concurrence with the audited indirect cost rate(s). The cognizant agency approves the ICR and a cognizant approval letter is issued.

Caltrans Acceptance of Indirect Cost Rate

When the ICRs have not been established by a cognizant agency, Caltrans must perform an audit or review of a consultant's and subconsultant's ICR(s) to provide reasonable assurance of compliance with Federal cost principles.

An audit or review of the ICR may consist of one or more of the following:

- Perform a review to determine if the ICR was prepared in accordance with 23 CFR Part 172, and 48 CFR, Chapter 1, Part 31;
- Perform an audit to determine if the ICR was prepared in accordance with 23 CFR Part 172, and 48 CFR, Chapter 1, Part 31; and issue an audit report;
- Review and accept an ICR audit report and related workpapers prepared by a CPA or another State Transportation Agency;

The outcome of an audit or review is for Caltrans to approve or accept the ICR so that it can be relied upon for future contracts with the consultant for a given one-year accounting period and for reliance by other contracting agencies using the same consultant. LPAs must ensure that only approved or accepted ICRs of consultants for the applicable one-year accounting period be applied to contracts, if rates are not under dispute. LPAs may check IOAI's website for consultant's approved or accepted ICRs. All approved or accepted ICRs are issued an Acceptance Identification (ID) number by IOAI that is posted to IOAI's [website](#). This ID number should be referenced on all future contracts that use the same fiscal year ICR. ICR can be fixed for the life of the contract in prior written document or annually updated. Once it has been updated, it must be annually updated and the most current fiscal year of ICR must be used.

ICRs that have not been accepted by Caltrans will not be eligible for indirect cost payment. An ICR approved by a cognizant agency may be used across states for the one-year applicable accounting period, but an ICR accepted by Caltrans may **only** be applied to A&E contracts with Caltrans or LPA contracts using pass-through Caltrans funding. LPAs include Cities, Counties,

Metropolitan Planning Organization, Special Districts, and Regional Transportation Planning Agencies.

Financial Review Performed Prior to Contract Execution

All consultants, including prime and subconsultants, on a proposed contract with a dollar value [equal to or](#) greater than \$150K are subject to an ICR financial review by IOAI. The financial documents required are detailed in Exhibit 10-A, A&E Consultant Financial Document Review Request Letter and Exhibit 10-A Checklist. IOAI will review the ICR financial documents to either accept or adjust the indirect cost rate **prior to contract execution** using a risk-based approach as dictated by factors that include but are not limited to:

- History of satisfactory performance and professional reputation of consultant;
- Prior FAR compliant history and audit frequency;
- Experience of consultant with FAHP contracts;
- General responsiveness and responsibility;
- The approximate contract volume and dollar amount of all A&E contracts awarded to the consultant by Caltrans or an LPA in California within the last three calendar years;
- The number of states in which the consultant does business;
- The type and complexity of the consultant's accounting system;
- The relevant professional experience of any CPA performing audits of the consultants indirect cost rate;
- Assessment of consultant's internal control. Responses to internal control questionnaire, see AASHTO Audit Guide, Appendix B;
- For ICRs that have been adjusted by IOAI, the consultant must provide a revised cost proposal that reflects the adjusted ICR.

Local Public Agencies' Responsibilities

LPAs are responsible for obtaining all required ICR supporting documentation from A&E prime consultants and sub-consultants as outlined in [Exhibit 10-A: A&E Consultant Financial Document Review Request](#) and the Exhibit 10-A-Checklist. LPAs are responsible for forwarding these documents to IOAI for review. LPAs are also required to ensure that IOAI has copies of the [Exhibit 10-K: Consultant Certification of Contract Costs and Financial Management System](#) and Exhibit 10-H: Cost Proposal for all consultants, both prime and sub-consultants. The ICR included in Exhibit 10-H must match the ICR included in the Exhibit 10-K and the consultant's ICR schedule. The proposed ICR, however, can be lower than ICR in Exhibit 10-K and the consultant's ICR schedule if the consultant elects to propose a lower ICR. For contracts spanning more than one year, LPAs are responsible for ensuring the Exhibit 10-K and cost proposals are updated annually unless all concerned parties agree to fix the ICR for the term of contract, and this is clearly specified in the contract. ICR updates are not required to IOAI if the ICR is fixed for the life of the contract. ICR's are only reviewed for consultants that are being awarded a contract, not consultants on a shortlist or prequalified list.

The Exhibit 10-H: Cost Proposal includes contract costs: direct salary or wage rates, fixed fees, other direct costs, indirect costs, total costs, and certification for the costs. LPAs must perform and retain documentation of activities and resources used to support that a cost analysis has been performed to establish that costs and elements were determined to be fair and reasonable in accordance with Federal cost principles.

All contract supporting documentation must be retained by the LPA in project files for the required retention period. Unsupported costs may be disallowed and required to be returned to Caltrans. Having proper documentation policy and procedures, trained staff and organized project files are essential for demonstrating that costs claimed and reimbursed have been incurred, are eligible, reasonable, allowable, and allocable to the contract and comply with Federal cost principles.

Contracts below \$150,000 are not subject to the Caltrans Financial Document Review but LPAs are required to establish that all costs are in compliance with the Federal cost principles, 48 CFR, Chapter 1, Part 31, and other applicable requirements are met. All documents listed above and cost analysis documents are required to be retained in the project files to demonstrate compliance.

Instructions are provided in the Exhibit 10-A on the requirements for submitting a complete Financial Review packet. Financial packets can be e-mailed to:
conformance.review@dot.ca.gov.

Alternatively, if you do not have Internet access, you can mail Financial Review packets to:

Department of Transportation
Independent Office of Audits and Investigations
MS 2 Attention: External Audit Manager
P.O. Box 942874
Sacramento, CA 94274-0001

Consultants' Responsibilities (Both prime consultants and subconsultants)

A&E prime consultants and subconsultants in contract with LPAs using state or federal-aid highway funds should refer to Exhibit 10-A and the 10-A Checklist for the ICR financial documents required to be submitted to their LPA. Consultants must complete the "Annual Certification of Indirect Costs and Financial Management System" (Exhibit 10-K) that attests that the ICR rate proposed is in compliance with FAR (48 CFR, Chapter 1, Part 31) and that the consultant's financial management system is adequate to accumulate and segregate, reasonable, allowable, and allocable direct and indirect project costs. The Exhibit 10-A and 10-K should be submitted to the LPA who will forward a copy to IOAI along with all other related and required financial documents. For all future contracts within a same fiscal year, the consultant needs to only provide a copy of the Exhibit 10-K to the LPA.

Consultants must follow all the federal, state, and contract requirements outlined above in the Section above, "Applicable Standards". Each contracting consultant must ensure its ICR is not combined with any parent company's or subsidiary's ICR.

ICR schedules for both prime consultants and sub-consultants should be prepared using the accrual basis of accounting and be presented in compliance with the Federal cost principles. Figure 10-3 at the end of this chapter provides an example of a Standard Indirect Cost Rate Schedule that consultants can use when preparing their own.

For public works Prevailing Wage contracts, all workers must be paid the prevailing wage rate determined by the Director of the Department of Industrial Relations according to the type of work and location of the project: <http://www.dir.ca.gov/Public-Works/Prevailing-Wage.html>.

For guidance see Caltrans' Prevailing Wage Interpretive Guidance and webinar on IOAI's [website](#).

When determined necessary, IOAI may request additional information, such as a labor distribution summary and Executive Compensation Analysis (ECA). A consultant's labor distribution summary report is a labor expense report that detail all hours worked (paid and unpaid) for a fiscal year, wages earned, and benefits accrued by all the consultant's employees. The labor summary report should include employee names, salaries, hourly rates, total hours worked segregated by direct hours, indirect hours, paid time off hours, and uncompensated hours and amounts.

An ECA is an evaluation by the consultant to determine the allowability and reasonableness of executive compensation in compliance with Federal cost principles and the AASHTO Audit Guide that can be based on either the National Compensation Matrix or independent compensation surveys.

Independent Office of Audits and Investigations' Responsibilities

After IOAI receives a consultant's complete financial document packet (per Exhibit 10-A and Exhibit 10-A Checklist) from the LPA, IOAI will review the proposed ICR and supporting documents and notify LPAs in writing whether the proposed ICRs are accepted or adjusted.

Contracts will be executed after IOAI either accepts or adjusts the ICR and a revised final cost proposal (if applicable) is received. Correction of the final cost proposal, however, does NOT need to be cleared through Caltrans IOAI before executing the contract. An email notification from IOAI serves as documentation to support an accepted ICR.

Audits and Reviews to be Performed

After contract execution, a consultant's ICR may be subject to further detailed review or audit by IOAI based on certain risk factors. Costs that are determined to be unallowable as a result of the review or audit will be subject to repayment.

Indirect Cost Rate Audits

During an ICR audit, IOAI or an independent CPA will examine the consultant's proposed ICR for a one-year accounting period to ensure that unallowable costs have been removed from the indirect costs, that allowable costs have been correctly measured and properly charged and allocated, and that the ICR has been developed in accordance with the Federal cost principles (as specified in 23 U.S.C. Section 112(b)(2)(B), 23 CFR 172.11, 48 CFR 31 and other FAR and State requirements). As a result of the audit, the LPA will work with the consultant to adjust the ICR based on audit recommendations.

For guidance regarding the existing policies and procedures set forth in the federal regulations, and acceptable ICR schedules, refer to the AASHTO Audit Guide, Chapter 5, and Figure 10-3 Standard Indirect Cost Rate Schedule in this Chapter. There is also a review program at Appendix A which serves as a guide for CPAs and IOAI when performing ICR audits and can also be used as a resource for consultants when preparing for an ICR audit.

CPA Workpaper Reviews

During a workpaper review of a CPA audit of an ICR, IOAI will review the CPA's audit workpapers to determine whether to issue a Cognizant Letter of Approval for the ICR. The CPA Workpaper Review determines whether: (a) the CPA's audit of the ICR was conducted in accordance with Generally Accepted Government Auditing Standards (GAGAS), (b) the CPA adequately considered the auditee's compliance with the Federal cost principles and related federal and state laws and regulations.

Chapter 11 of the AASHTO Audit Guide provides information to the CPA on the required audit disclosures.

IMPORTANT NOTE FOR CPAs: Contracts receiving state or federal funds are highly scrutinized. Materiality levels tend to be lower and more testing is required. GAGAS provides that auditors may find it appropriate to use lower materiality levels as compared with the materiality levels used in non-GAGAS audits because of the public accountability of government entities and entities receiving government funding, various legal and regulatory requirements, and the visibility and sensitivity of government programs. The AASHTO Audit Guide should be used as a tool for performing audits and attestations of A&E firms.

Contract Audits

During a Contract Audit, auditors will review a consultant's financial management system and contract cost proposal to determine if:

- The consultants' accounting system is adequate to accumulate and segregate costs;
- Costs are reasonable, allowable, allocable and supported adequately;
- The contract contains all required fiscal provisions;
- Proper state and federal procurement requirements were followed.

Incurred Cost Audits

During an Incurred Cost Audit, auditors will review incurred contract costs to determine if:

- Cost data are maintained in an accounting system that adequately gathers, records, classifies, summarizes, and reports accurate and timely financial data for direct and indirect project costs by account;
- Costs are adequately supported, reasonable, allowable, and allocable;
- Costs incurred are in compliance with state and federal laws and regulations;
- Costs incurred are in compliance with the Master Agreement and Supplemental Agreement;
- Costs incurred are in compliance with the fiscal provisions stipulated in the contract; and
- The terms required by the Master Agreement and federal laws and regulations are in the contract.

Audit Findings and Review Deficiencies

If a consultant's ICR is audited or reviewed, LPAs are responsible for ensuring all executed and future contracts reflect the audited and adjusted fiscal year ICR(s). LPAs should request reimbursement from the consultant for overpayment on rates that were adjusted down.

The LPAs may be subject to sanctions outlined in [Section 10.5 Sanctions](#) if the state or federal government determines that any reimbursements to the consultant are the result of lack of proper contract provisions, unallowable charges, unsupported activities, or an inadequate financial management system.

Example of a FAR Compliant Indirect Cost Rate Schedule - Sample Consulting Company

Statement of Direct Labor, Fringe Benefits, and General Overhead for the Year Ended December 31, 20xx

Description	General Ledger Balance	Unallowable	FAR Reference	Total Proposed	Home Office	Field Office
Direct Labor	\$123,456,789	(\$934,568)	(1)(15)	\$122,522,221	\$85,765,555	\$36,756,666
Fringe Benefits						
Vacation/Paid Leaves	\$17,283,950			\$17,283,950	\$12,098,765	\$5,185,185
Payroll Taxes	\$1,530,864	(\$30,617)	(15)	\$1,500,247	\$1,050,173	\$450,074
Medical Insurance	\$10,864,197			\$10,864,197	\$7,604,938	\$3,259,259
401K Match	\$4,938,272			\$4,938,272	\$3,456,790	\$1,481,481
Incentives and Bonus	\$15,308,642	(\$3,123,456)	(2)	\$12,185,186	\$8,529,630	\$3,655,556
Other Employee Benefits	\$2,515,280	(\$553,433)	(3)	\$1,961,847	\$1,373,293	\$588,554
Total Fringe Benefits	\$52,441,206	(\$3,707,506)		\$48,733,700	\$34,113,590	\$14,620,110
General & Administrative Overhead						
Indirect Overhead Labor	\$72,696,030	(\$4,452,541)	(1)(2)(4)(15)	\$68,243,489	\$65,790,948	\$2,452,541
Purchased Labor/Subconsultants	\$22,433,019	(\$22,433,019)	(5)	\$ -	\$ -	\$ -
Office Rent	\$12,345,679	(\$987,654)	(6)	\$11,358,025	\$11,038,025	\$320,000
Supplies & Utilities	\$5,753,086			\$5,753,086	\$4,027,160	\$1,725,926
Postage and Shipping	\$1,770,000	\$321,456	(5)	\$2,091,456	\$1,464,019	\$627,437
Equipment and Maintenance	\$3,812,346			\$3,812,346	\$2,512,789	\$1,299,557
Depreciation Expense	\$6,202,469	(\$1,345,678)	(7)	\$4,856,791	\$3,205,482	\$1,651,309
Interest	\$123,456	(\$123,456)	(8)	\$ -	\$ -	\$ -
Dues and Subscription	\$123,456	(\$12,345)	(9)	\$111,111	\$77,778	\$33,333
Advertising & Marketing	\$427,406	(\$45,678)	(10)	\$381,728	\$267,210	\$114,518
Vehicles	\$5,896,123	(\$147,403)	(5)(11)(14)	\$5,748,720	\$4,024,104	\$1,724,616
Bad debts	\$12,345	(\$12,345)	(12)	\$ -	\$ -	\$ -

Consultant Selection

Legal and Accounting Services	\$3,713,580	(\$222,815)	(13)	\$3,490,765	\$3,490,765	\$ -
Fines and Penalties	\$80,000	(\$80,000)	(16)	\$ -	\$ -	\$ -
Total General & Admin. Overhead	\$135,388,995	(\$29,541,478)		\$105,847,517	\$95,898,280	\$9,949,237
Total Indirect Costs				\$154,581,216	\$130,011,870	\$24,569,347
Indirect Cost Rates				126.17%	151.59%	66.84%

Figure 10.3: Standard Indirect Cost Rate Schedule

FAR References:

- (1) FAR 31.202: Uncompensated overtime.
- (2) FAR 31.205-6: Profit distribution and excess of the reasonable compensation.
- (3) FAR 31.205-46, 31.205-14 & 31.205-51: Meals not for valid business purposes and associated with lobbying and lacking adequate support
- (4) FAR 31.201-2: Administrative staff costs billed to projects/clients.
- (5) FAR 31.201-2: Subconsultant labor and other direct costs billed to and paid by contracts/clients.
- (6) FAR 31.205-36 and 31.205-17: Capital lease costs, rent paid in excess of reasonable costs, and idle facilities and capacity costs.
- (7) FAR 31.201-2 & 31.205-6: Costs relates to personal use by employees and luxury vehicles.
- (8) FAR 31.205-20: Interest and other financial costs not allowable.
- (9) FAR 31.201-2: Non-business related dues and subscriptions.
- (10) FAR 31.205-1: Costs for advertisement and public relations costs and trade show expense including labor.
- (11) FAR 31.205-46(d) and 31.205-6(m)(2): Personal use of vehicle and lack of mileage logs and business purpose.
- (12) FAR 31-205-3: Bad debts and collection costs.
- (13) FAR 31.205-27 and 31.205-47: Reorganization and capital raising related costs and costs incurred in connection with violation of a law or regulation by the consultant.
- (14) FAR 31.205-46: Unreasonable costs and costs not supported by documents and lack of business purpose.
- (15) FAR 31.201-6(a) & CAS 405-40: Labor costs associated with unallowable costs.
- (16) FAR 31.205-15: Fines and penalties resulting from violations of laws and regulations.

This section outlines the audit and review process for A&E contracts that at any time use federal and/or state funds. All proposed A&E contracts and supporting documents are subject to audit or review by Caltrans' Independent Office of Independent Office of Audits and Investigations (IOAI), other state audit organizations, or the federal government. Not all proposed contracts will be audited or reviewed; rather, they will be selected on a risk-based approach.

10.1.4 Consultant Selection Methods

Figure 10-4: Consultant Selection Flowchart shows the three methods normally used in selecting a consultant. They are:

- One-Step RFP
- One-Step RFQ
- Two-Step RFQ/RFP

The method used depends upon the scope of work, the services required, the project's complexity, and the time available for selection of the consultant.

Beginning with [Section 10.1.5: Consultant Selection Using the One-Step RFP Method](#), each of the selection methods is explained in detail. Regardless of the method used, the LPA must retain all consultant selection documentation in their project files as required by 23 CFR 172.

One-Step RFP

The One-Step RFP method may be used for Project-specific contracts when the scope of work is well defined or for Multi-phased contracts where the defined scope of work is divided into phases. Other considerations include when the consultant's services are highly specialized and there are few qualified consultants.

One-Step RFQ

The One-Step RFQ method is used when the requested services are specialized, or the scope of work is defined broadly and may include multiple projects. Typical services are preliminary engineering, surveying, environmental studies, preparation of Plans Specifications and Estimate (PS&E) and environmental documents, or construction management. This method or the two-step selection process is used for procurement of on-call contract(s). Note that specifications and requirements in the RFQ must cover all aspects of the final need. An RFP specific to the project, task, or service must be included in the solicitation for evaluation of a consultant's specific technical approach and qualifications.

Two-Step (RFQ Followed by RFP)

The Two-Step RFQ/RFP method may be used when the scope of work is complex or unusual. This method also may be preferred by LPAs that are inexperienced about negotiations and procedures for establishing compensation. However, the Two-Step RFQ/RFP method is recommended for procurement of multiple on-call contracts, or on-call list, through a single solicitation. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under a RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications. For more information, refer to description of on-call contract in [Section 10.1.2: Identifying & Defining a Need for Consultants](#). This method requires substantially more work and time than the other two methods described above.

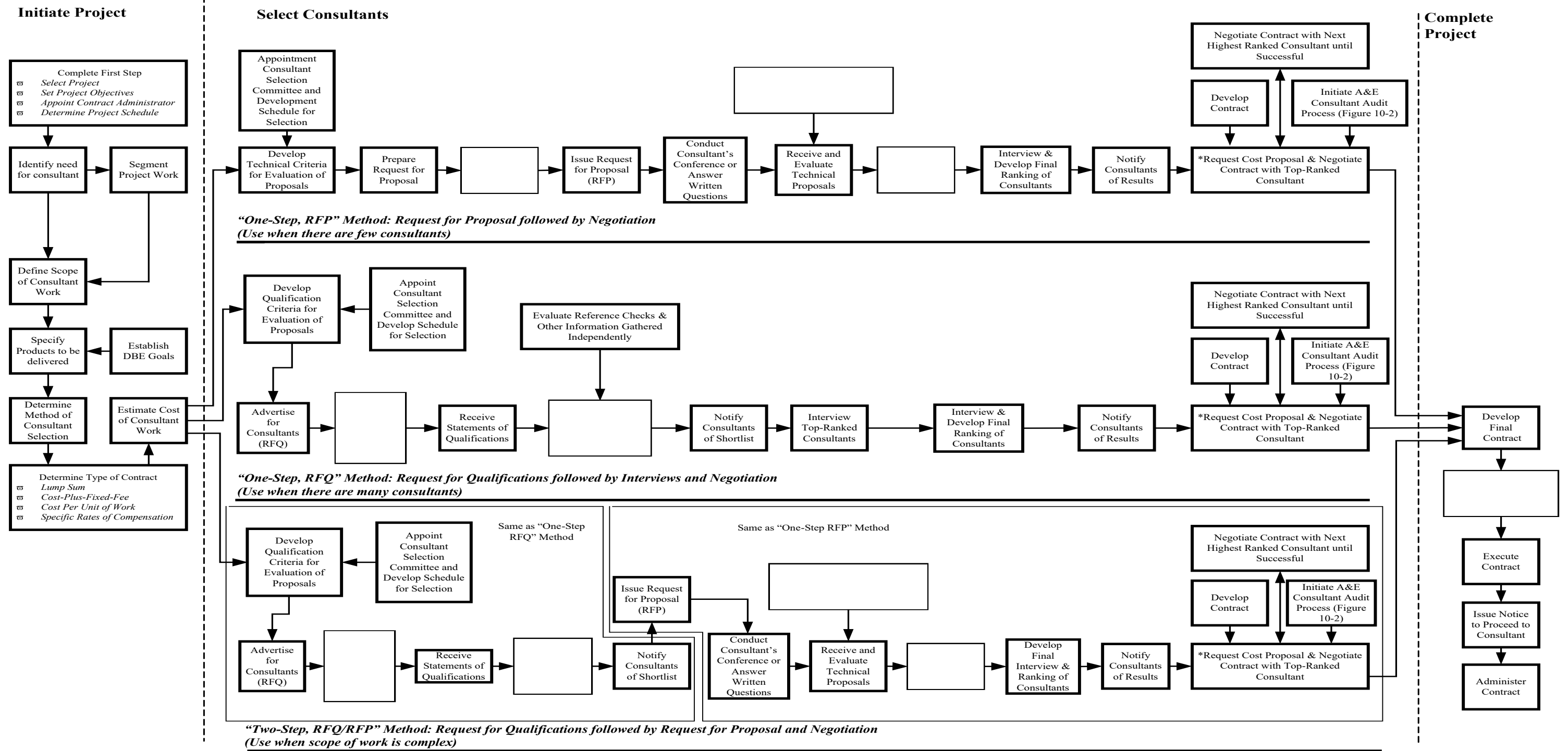


Figure 10-4: Consultant Selection Flowchart

10.1.5 Consultant Selection Using the One-Step RFP Method

Of the three methods discussed, this one is most easily modified for non-A&E consulting contracts. This procurement procedure usually involves a single step process with issuance of a request for proposal (RFP) to all interested consultants. For non-A&E consulting contracts, a cost proposal must be part of the RFP and the selection criteria. For A&E contracts, the cost proposal is not requested until the consultants have been final ranked based upon their submitted technical proposal.

Appoint Consultant Selection Committee

A consultant selection committee with a minimum of three members is appointed at the beginning of the consultant selection process. The committee reviews materials submitted by consultants, develops a shortlist of qualified consultants, and develops a final ranking of the most qualified proposals. Representation on the committee includes the Contract Administrator and subject matter experts from the project's functional area. The members should be familiar with the project/segment to be contracted out and with the LPA standards that will be used in the contract. Participation by a Caltrans district representative is at the option of the agency and subject to availability of the DLAE staff. Caltrans participation on the interview panel does not relieve the LPA of its responsibility to ensure that proper procurement procedures are followed and all requirements are met.

LPA Contract Administrator ensures that all committee members meet the conflict of interest requirements (23 CFR 172) by completing and signing a conflict of interest statement prior to selection process initiation. A sample conflict of interest form is provided in [Exhibit 10-T: Conflict of Interest & Confidentiality Statement](#).

Develop Technical Criteria for Evaluation of Proposals

The Contract Administrator is responsible for developing the technical criteria, and their relative importance which are used to evaluate and rank the consultant proposals. In-State or local preference must not be used as factor in the evaluation, ranking, and selection phase. All non-technical evaluation criteria, including DBE participation, must not exceed 10 percent (23 CFR 172.7(a)(1)(iii)(D)). All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.

The criteria and relative weights must be included in the RFP, and the same criteria and relative weights must be used in the evaluation sheets. Failure to include criteria and relative weights and to use the same criteria and weights during the evaluation will result in the contract costs being ineligible for federal or state reimbursement. [Exhibit 10-B: Suggested Consultant Evaluation Sheet](#) is a recommended evaluation sheet with criteria and rating points for A&E consultants, where cost is not used as a rating factor. This format is not mandatory, but it is recommended in the interest of developing consistency among the hundreds of agencies and consultants operating in the state. The LPA should consult with the DLAE before making major changes to the suggested approach.

Develop Schedule for Consultant Selection

Before the contract is advertised, the Contract Administrator completes a contract procurement schedule including key dates for consultant selection activities. The Contract Administrator should confirm key dates with all selection committee members before completing the schedule.

Prepare RFP

The information required in an RFP solicitation includes the following:

- Description of project;
- Clear, accurate, detailed Scope of work, technical requirements, and qualifications;
- Services to be performed;
- Deliverables to be provided;
- Procurement schedule;
- Applicable standards, specifications, and policies;
- Schedule of work (including estimated start and end dates of the contract);
- Method of payment, and cost proposal requirements. The cost proposal is submitted in a separate concealed format. Cost proposals are requested from the highest ranked firm. If these negotiations are formally terminated, the cost proposal is then requested from the next highest ranked firm. See [Exhibit 10-H: Sample Cost Proposal \(Example 3\)](#) for sample cost proposal formats;
- Contract audit and review process requirements (see [Section 10.1.3: A&E Consultant Audit and Review Process](#));
- Proposal format and required contents;
- Method, criteria and weighting for selection;
- Requirements for any discussions that may be conducted with three or more of the most highly qualified consultants following submission and evaluation of proposals;
- Specify contract type;
- Special provisions or contracts requirements;
- A DBE contract goal is specified in the solicitation (see [Exhibit 10-I: Notice to Proposers DBE Information](#)), if a federal-aid contract;
- Consultants acting in a management support role requirements [Exhibit 10-U: Consultant in Management Support Role Conflict of Interest and Confidentiality Statement](#);
- Protest procedures and dispute resolution process per 2 CFR 200.318(k) and 2 CFR 172.5(c)(18).
- [Title VI of the Civil Rights Act of 1964 – disadvantage business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, sex, national origin, religion, age, or disability in consideration for an award.](#)

The RFP specifies the content of a proposal, the number of copies required, due date, mailing address, and a physical address where the submittals may be hand delivered if different from the mailing address. A minimum of fourteen (14) calendar days is required between the time the RFP is published and time that proposals must be submitted. More time may be required for complex contracts or projects.

Items typically required in a technical proposal include:

- Work plan (specify what is to be covered);
- Organizational chart;
- Schedule and deadlines;
- Staffing plan;
- Proposed Team—complete for prime consultant and all key subconsultants;
- Key personnel names and classifications—key team members identified in the original proposal/cost proposal must not change (be different than) in the executed contract;
- Staff resumes;
- Names of consultant’s project manager and the individual authorized to negotiate the contract on behalf of the consulting firm;
- Consultant DBE Commitment document, see [Exhibit 10-O1: Consultant Proposal DBE Commitment](#);
- References.

Financial Management and Accounting System Requirements

The LPA must ensure that consultant contract solicitation and advertising documents (RFPs) clearly specify that contracts must not be awarded to a consultant without an adequate financial management and accounting system as required by 48 CFR 16.301-3, 2 CFR 200, and 48 CFR 31. The LPA must ensure the selected consultants have adequate financial management systems as required by the applicable federal regulations.

Advertise for Consultants

The solicitation process for consultant services must be by public advertisement, or by any other public forum or method that assures qualified in-State and out-of-State consultants are given a fair opportunity to be considered for award of contract. The minimum length of advertisement is 14 calendar days.

Advertisement of the RFP in a major newspaper of general circulation, technical publications of widespread circulation, professional associations and societies, recognized DBE organizations, web hosting or clearing houses known for posting government contract solicitations such as BidSync, Planetbids, Public Purchase, or posting the RFP on the LPA’s or other widely used websites are all acceptable methods of solicitation.

To document website postings, the LPA should retain copies of screen shots displaying the posted begin/end dates.

The LPA must keep a record of all consultants that have downloaded RFP online as well as those receiving an RFP through other means, to ensure that any inquiry responses, addendums, or amendments to the RFP are given to all consultants that received the RFP.

Conduct Proposer’s Conference or Answer Written Questions

The LPA may allow for clarification of the RFP by inviting submittal of written questions or by conducting a proposer’s conference, or by doing both. The LPA must publish or mail their responses to any written questions to all consultants receiving the RFP. No response should be

given to verbal questions. It is important that all competing consultants receive the same information. If a proposer's conference is to be held, the exact time and place must be specified in the RFP. Attendance at a proposer's conference normally is not mandatory. However, consultants not attending the conference do not receive notes from the meeting unless they request the notes.

Receive and Evaluate Technical Proposals

The Contract Administrator must verify that each proposal contains all of the forms and other information required by the RFP. If all required information is not provided, a proposal may be considered nonresponsive and rejected without evaluation. Late submittals, submittals to the wrong location, or submittals with inadequate copies are considered nonresponsive and must be rejected. Submittal of additional information after the due date must not be allowed.

Documentation of when each proposal was received must be maintained in the project files. Copies of date stamped envelope covers or box tops are recommended. The members of the consultant selection committee must evaluate each proposal according to the technical criteria listed in the RFP. Minimum of three proposals must be received and evaluated. If only two proposals are received, a justification must be documented to proceed with the procurement. The justification should state that the solicitation did not contain conditions or requirements that arbitrarily limited competition per 23 CFR 172(a)(1)(iv)(D) and competition is determined to be inadequate and it is not feasible or practical to re-compete under a new solicitation per 23 CFR 172(a)(3)(iii)(C). If only one proposal is received, a Non-Competitive process must be justified and an Exhibit 12-F must be documented and signed by the DLAE. In either case, the re-advertisement of the RFP should be considered as an option.

The committee must also evaluate reference checks and other information gathered independently. Reference checks must be completed and other information gathered before the interviews are conducted. If necessary, the results of the reference checks or other information may be discussed with the highest ranked qualified consultants at the interviews.

Develop Final Ranking and Notify Consultants of Results

The selection committee evaluates each proposal; interviews the three or more highest ranked consultants (short listed) if noted in solicitation; and develops a final ranking of the highest ranked consultants. All consultants that submitted proposals must be informed about the final ranking of consultants. It is important that all competing consultants receive the same information.

Most consultants will request information as to why they were not the highest ranked. The LPA may have an established procedure adopted for conducting debriefings but may also consider the following: The selection committee should keep notes as to why a particular consultant was not selected. When a consultant requests debriefing, the reasons for not being selected must be objective reasons. The consultant should not be compared to others and should not be provided with information about other consultants during this debriefing. Normally, the Contract Administrator does the debriefing; however, any member of the selection committee may be designated to do the debriefing.

Negotiate Contract with Top-Ranked Consultant

Cost proposal (for both Prime and all Subconsultant), and contract audit and review documents such as [Exhibit 10-K: Consultant Certification of Indirect Costs and Financial Management System](#) of Costs and Financial Management System and [Exhibit 10-A: A&E Consultant](#)

[Financial Document Review Request](#), whichever is applicable (see [Section 10.1.3: A&E Consultant Audit and Review Process](#)) should be submitted in a separate sealed envelope.

Typically, the cost proposals are submitted by the short-listed consultants only, at time of interview. However, if time is of the essence and it can be justified, or if no interviews are planned, the cost proposal can be requested from all consultants with their technical proposal.

The cost proposal for the most qualified consultant will be opened and used to begin negotiations. If agreement cannot be reached, then negotiations proceeds to the next most qualified consultant. Each consultant's cost proposal must remain sealed until negotiations commence with that particular consultant. The goal of negotiations is to agree on a final contract that delivers the services, or products required at a fair and reasonable cost to the LPA. At the completion of successful cost negotiations, all remaining sealed envelopes containing cost proposals must be returned to consultants.

Cost proposals in electronic form must be submitted separately from the RFP and contained in a secure database that is inaccessible to the members involved in the A&E consultant contract procurement process. Only the cost proposal of the most qualified consultant will be requested to be sent to the members. Cost proposals of unsuccessful consultants are confidential and must not be opened by the LPA or any private entity that the LPA uses to store the cost proposals. Any concealed cost proposals of the unsuccessful consultants must be returned unopened or properly disposed of in accordance with the LPA's written policies and procedures.

The independent cost estimate, developed by the LPA in advance of requesting a cost proposal from the top-ranked consultant, is an important basis and tool for negotiations or terminating unsuccessful negotiations with the most qualified consultant. Items necessary for the independent cost estimate include, hours/detailed work, direct labor costs, indirect labor costs, other direct costs, and profit/fee. Agencies must retain documentation of how the cost estimate was developed. It can be revised, if needed, for use in negotiations with the next most qualified consultant. A contract audit and review may be required (see [Section 10.1.3: A&E Consultant Audit and Review Process](#) in this chapter). LPA Contract Administrator ensures that all required documentations are provided to Caltrans IOAI within 10 days of written request, including all documents for a Financial Review, if applicable. Caltrans IOAI will not proceed with a Financial Document Review until all required documentation is completed correctly and submitted. Negotiations should be finalized after addressing all deficiencies noted in the Caltrans IOAI Financial Review Letter if applicable. An indirect cost audit may be performed within the record retention period of the contract.

Items typically negotiated include:

- Work plan;
- Schedule and deadlines (for deliverables and final duration of contract);
- Products to be delivered;
- Classification, wage rates, and experience level of personnel to be assigned;
- Cost items, payments, and fees. Fee is required to be negotiated as a separate element;
- Hours, level of effort by task and/or classification.

The consultant's ICR is not a negotiable item. A lower rate cannot be negotiated by the LPA. The LPA and the consultant will agree on the final cost proposal and incorporate into final contract. Retain all documentation related to negotiations.

Before executing the consultant contract, the LPA must review contract to ensure that all federal and state requirements have been met (see A&E Consultant Procurement Checklist: <https://dot.ca.gov/programs/local-assistance/environmental-and-other-policy-issues/consultant-selection-procurement> for sample template) and adjustment or denial of ICR as identified in the Financial Review Letter has been included in the final cost proposal, if applicable.

Prior to contract award, or after contract award but no later than the first invoice, the LPA must submit a completed Exhibit 10-C for all new federal funded A&E consultant contracts using the database at <https://dla.dot.ca.gov/fmi/webd/Exhibit%2010-C> (please use Firefox or Chrome if not supported by your browser). [Submission of Exhibit 10-C to the Exhibit 10-C database is not required for non-A&E consultant contracts.](#)

If there are any changes requiring an amendment to the contract after submittal of Exhibit 10-C, refer to [Section 10.1.8: Contract Amendments](#).

10.1.6 Consultant Selection Using the One-Step RFQ Method

The RFQ method is used when the services being procured are specialized, or the scope of work is defined broadly and may include multiple projects.

Appoint Consultant Selection Committee

A consultant selection committee with a minimum of three members is appointed at the beginning of the consultant selection process. The committee reviews and scores the materials submitted by consultants in response to the RFQ, develops a shortlist of qualified consultants, interviews those consultants, and develops a final ranking of the most qualified consultants. Representation on the committee includes the Contract Administrator and subject matter experts from the project's functional area. The members should be familiar with the scope of work to be contracted out and with the LPA standards that will be used in the contract.

Participation by a Caltrans district representative is at the option of the LPA and subject to the availability of the DLAE staff. Caltrans participation on the interview panel does not relieve the LPA of its responsibility to ensure that proper procurement procedures are followed and all requirements are met.

LPA Contract Administrator ensures that all committee members meet the conflict of interest requirements (23 CFR 172) by completing and signing a conflict of interest statement prior to selection process initiation. A sample conflict of interest form is provided in [Exhibit 10-T: Panel Member Conflict of Interest & Confidentiality Statement](#).

Develop Technical Criteria for Evaluation of Qualifications

The Contract Administrator is responsible for developing the technical criteria, and their relative importance which are used to evaluate and rank the consultant qualifications. The criteria and relative weights must be included in the RFQ, and the same criteria and relative weights must be used in the evaluation sheets. Failure to include criteria and relative weights and to use the same criteria and weights during the evaluation will result in the contract costs being ineligible for federal or state reimbursement. [Exhibit 10-B: Suggested Consultant Evaluation Sheet](#) is a recommended evaluation sheet with criteria and rating points for A&E consultants, where cost is

not used as a rating factor. This format is not mandatory, but it is recommended in the interest of developing consistency among the hundreds of agencies and consultants operating in the state. The LPA should consult with the DLAE before making major changes to the suggested approach.

Develop Schedule for Consultant Selection

Before a contract is advertised, the Contract Administrator completes a contract procurement schedule including key dates for consultant selection activities. The Contract Administrator should confirm target dates with all selection committee members before completing the schedule.

Prepare RFQ

As a minimum, the RFQ generally includes the following:

- General description of the services or project(s);
- Scope of work;
- Schedule of work (including contract begin and end dates);
- Method of payment, and cost proposal requirements. The cost proposal is submitted in a separate sealed envelope. See [Exhibit 10-H: Sample Cost Proposal](#) for sample cost proposal formats;
- Contract audit and review process requirements (see [Section 10.1.3: A&E Consultant Audit and Review Process](#));
- Statement of Qualification (SOQ) format and required content to be submitted;
- Method and criteria and weights for selection;
- A DBE contract goal is specified in the solicitation (see [Exhibit 10-I: Notice to Proposers DBE Information](#)), if a federal-aid contract;
- Consultants acting in a management support role requirements [Exhibit 10-U: Consultant in Management Support Role Conflict of Interest and Confidentiality Statement](#); Protest procedures and dispute resolution process per 2 CFR 200.318(k).

The RFQ specifies the content of the SOQ, the number of copies required, due date, mailing address, and a physical address where the submittals may be hand delivered if different from the mailing address. Two to four weeks is usually allowed between the time the RFQ is published and time that SOQs must be submitted. More time may be required for complex contracts or scope of work.

Items typically required in a statement of qualification include:

- Qualifications of key personnel (including consultant project manager) proposed for the contract. Key team members identified in the original proposal/cost proposal must not change (be different than) in the executed contract;
- Staff resumes;
- Related projects that key personnel have worked on;
- Qualifications/experience of the firm;

- Organizational chart;
- Forecast or Schedule of work;
- Consultant DBE Commitment document, see [Exhibit 10-O1: Consultant Proposal DBE Commitment](#);
- References.

Financial Management and Accounting System Requirements

The LPA must ensure that Consultant contract solicitation and advertising documents (RFQs) clearly specify that contracts must not be awarded to a consultant without an adequate financial management and accounting system as required by 48 CFR 16.301-3, 2 CFR 200, and 48 CFR 31. The LPA must ensure the selected consultants have adequate financial management systems as required by the applicable federal regulations.

Advertise for Consultants

The solicitation process for consultant services must be by public advertisement or any other public forum or method that assures qualified in-State and out-of-State consultant are given a fair opportunity to be considered for award of contract. The RFQ must contain sufficient project work information, so that interested consultants can submit an appropriate SOQ.

Advertisements for RFQ may take one of two approaches. The most common is an advertisement or publication of the RFQ in a major newspaper of general circulation, technical publication of widespread circulation, professional associations and societies, recognized DBE organizations, web hosting or clearing houses known for posting contract solicitations such as Bid Sync, PlanetBids, or posting the RFQ on other widely used websites. To document website postings, the LPA should retain copies of screen shots displaying the posted begin/end dates.

In the second approach, the LPA advertises the availability of the RFQ in a major newspaper of general circulation, technical publications of widespread circulation, professional associations and societies, recognized DBE organizations, or through a web hosting or clearing houses known for posting contract solicitations such as BidSync or PlanetBids, and requests that interested consultants send a letter of interest to the LPA for the RFQ. The RFQs must then be sent to those firms who indicated interest in the RFQ. In some cases, it may be desirable to advertise nationwide for a particular project or service. This approach provides a registry for firms who received the RFQ and therefore facilitates the broadcast of any revisions or addenda to the RFQ, if necessary.

Issue/Publish RFQ

The LPA must publish the RFQ online and also issue the RFQ to all consultants responding to newspaper advertisement. The LPA must keep a record of all consultants that have downloaded the RFQ on line as well as those receiving an RFQ through other means, to ensure that any inquiry responses, addendums, or amendments to the RFQ are given to all consultants that received the RFQ.

Receive/Evaluate Statements of Qualifications and Develop Shortlist

The first step in the evaluation process is to determine that each SOQ contains all forms and other information required by the RFQ. Otherwise, the submittals may be considered nonresponsive and rejected without evaluation. Late submittals, submittals to the wrong

location, and submittals with inadequate copies are considered nonresponsive and must be rejected. Submittal of additional information after the due date must not be allowed. Documentation of when each proposal was received must be maintained in the project files. Copies of date stamped envelope covers or box tops are recommended.

Minimum of three proposals must be received and evaluated. If only two proposals are received, a justification must be documented to proceed with the procurement. If only one proposal is received, a Non-Competitive process must be justified, and an Exhibit 12-F must be documented and signed by the DLAE. In either case, the re-advertisement of the RFP should be considered as an option.

The consultant selection committee reviews the submitted SOQ according to the published evaluation criteria and weighting factors. The committee makes an independent random check of one or more of the consultant's references. This check applies to major subconsultants also. The committee establishes a shortlist of consultants who are considered to be best qualified to perform the contract work. The shortlist includes enough qualified consultants to ensure that at least three consultants are interviewed.

Notify Consultants of Shortlist

All consultants that submitted an SOQ must be notified of the results of the review. The notification also identifies those consultants (short list) that will be requested to attend interviews if interviews were an option in the solicitation. Most consultants will request information as to why they were not placed on the shortlist. Therefore, the selection committee should keep notes why a particular consultant was not selected for the shortlist. When a consultant requests a debriefing, the reasons given for not being selected must be objective reasons. Consultants should not be compared with each other during the debriefing. Normally, the Contract Administrator does the debriefing; however, any member of the selection committee may be designated to do the debriefing.

Interview Top-Ranked Consultants

Each consultant to be interviewed is given a copy of the draft of the proposed contract, defining the detailed scope of work, and/or description of required services, and other information. This should be sent with the initial notification of the interview.

Between the time of the notification of the shortlist and interviews, the LPA may answer any questions concerning the scope of work to be contracted out, if not done earlier during the solicitation. In addition, the LPA may conduct additional reference checks for each consultant to be interviewed. Consultants should submit their questions about the RFQ and receive their answers from the LPA in writing. It is required that all consultants on the shortlist receive the questions and answers and are given the same information.

The committee should evaluate reference checks and other information that is gathered independently. Reference checks must be completed, and other information gathered before the interviews are conducted. If necessary, the results of the reference checks and other information may be discussed with the consultant at the interview.

Interviews are to be structured and conducted in a formal manner. Each consultant must be allowed the opportunity to make a presentation if desired; however, a time limit should be specified. Interview questions are prepared in advance.

Two types of questions may be asked:

- Questions that are to be asked of all competing consultants, and
- Questions relating to each specific consultant, based upon the reference checks, and the strengths and weaknesses identified during evaluation of the SOQ

The agency can request competing consultants to bring additional information or examples of their work to the interviews; if the additional information facilitates the interview or evaluation process. Additional information requested should be kept at a minimum, that is, only information required to select the most qualified consultant for the contract. The selection committee or LPA must not gather additional information concerning the consultants after the interviews are completed.

Develop Final Ranking and Notify Consultants of Results

All consultants interviewed must be informed about the final ranking of consultants. It is important that all competing consultants receive the same information.

Most consultants will request information as to why they were not selected as the most qualified. Therefore, the selection committee should keep notes as to why a particular consultant was not selected. When a consultant requests debriefing, the reasons for not being selected must be objective. Consultants should not be compared with each other or provided with information about other consultants during the debriefing.

Normally, the Contract Administrator does the debriefing; however, any member of the selection committee may be designated to do the debriefing. The next two sections provide guidance when the RFQ is solicited for specialized services and additional information is required prior to cost negotiations with consultant. For on-call contracts, skip the next two sections and begin Negotiation phase.

Conduct Scoping Meeting

The Contract Administrator meets with the first-ranked consultant's project manager to review the project, and to ensure that the consultant has a complete understanding of the work that is required. The consultant is shown as much material as is available regarding the project. Any technical questions regarding the project are answered for the consultant.

Request Cost Proposal

The first-ranked consultant is asked to provide a cost proposal to perform the work described in the draft contract and discussed at the scoping meeting. The work is to be performed according to the conditions described in the draft contract using the payment method described therein. Alternatively, if time is of the essence and it can be justified, sealed cost proposals may be requested from all of the consultants on the shortlist.

If the contract involves more than one project, the consultant must provide a separate cost proposal for each project in addition to a summary cost proposal for the total contract. If the contract involves milestones, the consultant must furnish a separate cost proposal for each milestone with a summary cost proposal for the total costs. If the contract involves subconsultants, the prime consultant must include a separate cost proposal for each subconsultant. Each subconsultant's cost proposal must follow the same format as the prime consultant's cost proposal.

Negotiate Contract with Top-Ranked Consultant

Cost proposal (for both Prime and all Subconsultant), and contract audit and review documents such as [Exhibit 10-K: Consultant Certification of Indirect Costs and Financial Management System](#) and [Exhibit 10-A: A&E Consultant Financial Document Review Request](#), whichever applicable (see [Section 10.1.3: A&E Consultant Audit and Review Process](#)) will be submitted in a separate sealed envelope. Typically, the cost proposals are submitted by the short-listed consultants only, at time of interview. However, if time is of the essence and it can be justified, or if no interviews are planned, the cost proposal can be requested from all consultant with their statements of qualification.

After the top-ranked consultant submits a sealed cost proposal, the LPA reviews the cost proposal and compares it with the LPA's confidential detailed independent cost estimate and enters into negotiations. The goal of negotiation is to agree on a final contract that delivers to the LPA the services or products required at a fair and reasonable cost. The independent cost estimate, developed by the LPA in advance of requesting a cost proposal from the top-ranked consultant, is an important basis and tool for negotiations.

Negotiations should commence with the most qualified consultant. If agreement on a fair and reasonable price cannot be reached, negotiations should then be formally terminated. Negotiations then proceed to the next most qualified consultant, and so on. Each consultant's cost proposal must remain sealed until negotiations commence with that particular consultant.

At the completion of successful cost negotiations, all remaining sealed envelopes containing cost proposals must be returned to consultants.

Cost proposals in electronic form must be submitted separately from the RFQ and contained in a secure database that is inaccessible to the members involved in the A&E consultant contract procurement process. Only the cost proposal of the most qualified consultant will be requested to be sent to the members. Cost proposals of unsuccessful consultants are confidential and must not be opened by the LPA or any private entity that the LPA uses to store the cost proposals. Any concealed cost proposals of the unsuccessful consultants must be returned unopened or properly disposed of by permanently deleting the cost proposals in accordance with LPA's written policies and procedures.

A contract audit and review may be required (see [Section 10.1.3: A&E Consultant Audit and Review Process](#) earlier in this chapter). LPA Contract Administrator is responsible for the submittal of all required documentations to Caltrans IOAI in a timely fashion, including all documents for a Financial Review, if applicable. Caltrans IOAI will not proceed with a Financial Review until all required documentation is completed correctly and submitted. Negotiations may be completed after receipt of the Caltrans IOAI Financial Review Letter. An indirect cost audit may be performed within the record retention period of the contract.

The items typically negotiated include:

- Work plan;
- Staffing plan;
- Schedule (including contract begin and end dates);
- Products to be delivered;
- Classification, wage rates, and experience level of personnel to be assigned;

- Cost items, payments and fee. Fee is required to be negotiated as a separate element.

The consultant's ICR is not a negotiable item. A lower rate cannot be negotiated by the LPA. For on-call contracts, typically a price agreement is reached based on specific rate of compensation for the term of the contract. The subsequent task orders (or mini agreements for individual project work) is negotiated based on cost plus fee, or lump sum, which is derived from the wage rates agreed upon earlier for the on-call contract.

Before executing the consultant contract, the LPA must review contract to ensure that all federal and state requirements have been met (see A&E Consultant Procurement Checklist at <https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/consultant-selection-procurement>), and receive Caltrans IOAI's Financial Review acceptance letter, if applicable.

Prior to contract award, or after contract award but no later than the first invoice, the LPA must submit a completed Exhibit 10-C for all new federal funded A&E consultant contracts using the database at <https://dla.dot.ca.gov/fmi/webd/Exhibit%2010-C> (please use Firefox or Chrome if not supported by your browser).

If there are any changes to the contract after submittal of Exhibit 10-C, refer to [Section 10.1.8: Contract Amendments](#).

10.1.7 Consultant Selection Using the Two-Step RFQ/RFP Method

Combined RFQ and RFP

Selecting consultants using the Two-Step RFQ/RFP method requires combining certain steps from each of the other two methods previously described. The consultants are rated based upon both their qualifications and their technical proposals. This procurement procedure involves a two-step process with issuance of a request for qualifications (RFQ) whereby responding consultants are evaluated and ranked based on qualifications and an RFP is then provided to three or more of the most highly qualified consultants. The two-step method leads to an executed project specific contract.

A different process may also be used that includes assessing minimum qualifications of consultants to perform services under general work categories or areas of expertise through a prequalification process whereby annual statements of qualifications and performance data are encouraged. These consultants are not ranked, and an RFP must be submitted to the entire list for evaluation and consideration. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under a RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.

The initial steps in this method (up to the development and notification of the shortlist) are similar to the steps followed when using the One-Step RFQ method. At this point, the consultants from the shortlist are issued an additional RFP. The remaining steps are the same as the later steps followed in the One-Step RFP method. The combination of these steps is indicated in Figure 10-4: Consultant Selection Flowchart. Because it is a combination of the One-Step RFQ and One-Step RFP methods, this method of consultant selection requires more work and time than the other two methods. Consequently, the combined RFQ/RFP method is recommended for use only when the scope of work is not clearly known, very complex or unusual.

The Two-Step RFQ/RFP is also well suited for procuring multiple on-call contracts through a single solicitation (see [Section 10.1.2 Determine Type of Contract](#)). The outcome of the first step RFQ will be multiple contracts, or on-call list of consultants. For multiple on-call contracts, project work will be procured through subsequent competition or mini-RFPs amongst the on-call consultants.

LPAs may also use the Two-Step RFQ/RFP method to:

1. Develop and maintain a pre-qualified file/list of consultant firms by specific work categories or areas of expertise. This list includes all consultants that meet the minimum published pass/fail requirements. The pre-qualified list can be updated annually or at least every two years and must be maintained by the agency. This list has not gone through the evaluation process.
2. Create a short list of evaluated and ranked consultants that leads to executed contracts

Because it is a combination of the One-Step RFQ and One-Step RFP methods, this method of consultant selection requires more work and time than the other two methods. Consequently, the combined RFQ/RFP method is recommended for use when the scope of work is very complex or unusual.

Categorize work

Descriptions of the categories of work, deliverables and the minimum qualification standards for each category must be clearly identified.

The LPA may prequalify consulting firms in the following (or more) categories:

- Roadway Design
- Bridge Design
- Bridge Inspection
- Traffic Engineering
- Environmental Services
- Roadway Construction Inspection and Administration
- Landscape Architecture
- Land Surveying
- Intelligent Transportation System (ITS)
- Federal-aid Highway Project Development Support Services

Establish Minimum Qualifications

In an effort to ensure quality performance and results, a consultant should be required to meet certain minimum qualifications to be eligible for consideration in the pre-qualification process.

General criteria guidelines should be established for consultant selection for a pre-qualified list. The criteria may be established by an individual or a panel of subject matter experts for the specific task of developing the criteria. Some agencies also establish appropriate weights for each criterion. It may be necessary to modify the criteria to fit specific cases. When a RFQ is published, it should state the criteria that will be used in the selection process.

Criteria for evaluating statements of qualifications, may include but are not limited to:

- Special expertise and experience of the firm's key employees
- Proposed staffing (include number of licensed and specialized staff) for the project and previous experience of those identified
- Experience of the firm and their personnel on previous projects similar to the one under consideration
- Consultant DBE Commitment document (see [Exhibit 10-O1](#))
- Professional references by the firm with the LPA
- Understanding of the project by the firm as demonstrated by their approach to organizing and management of the work
- Current workload of the firm and their ability to meet the proposed project schedule
- Quality of previous performance by the firm with the LPA
- Use of sub-consultants to accomplish work on the project
- Equipment the firm has available and proposes to use as compatibility with Computer-Aided Drafting and Design (CADD) and other equipment proposed to be used in accomplishing the work
- Familiarity with federal, state, and local codes, requirements, standards, and procedure
- Examples of minimum qualifications for work categories above are provided here based on Caltrans best practices

Issue RFQ

The need for services of a consulting firm may be advertised in appropriate national, state, and local publications and web sites. Notices can also be sent to firms known to be qualified to do specific work, to professional societies, and to recognized Disadvantaged Business Enterprises (DBE) organizations. The advertisements and notices seek statements of interest and qualifications from consultants who are interested in the project. The DBE goal is established at the master on-call contract and included in the solicitation document.

The SOQ should list consulting firm details, names of principals, office locations, personnel by discipline, project experience and examples, current workload, types of service the firms are qualified to perform, and previous performance. Also, resumes of key persons, specialists, and other associates that may be assigned to the project or projects should be included. This information should be the basis for evaluating and placing a consulting firm on a general pre-qualification list.

Federal regulations require that any procedures related to pre-qualifying consultant cannot restrict competition.

Pre-qualification of consultants may be allowed as a condition for submitting a technical proposal for a contract only if the period between the date of the issuance of the RFP and the deadline for submitting a technical proposal affords sufficient time to enable a consultant to obtain pre-qualification status.

Another practice is to qualify consultants on a project-by-project basis. This is accomplished for some agencies by advertising or publishing notices in national, state, and local publications for

needed services for specific, individual projects. These notices include a precise project location, a defined preliminary scope of services to be performed, a specific schedule within which the work is to be completed, and a list of products and deliverables to be provided by the consultant. Specific project advertisements usually are published when the proposed project is large and complex, in-house resources are not available, special expertise is required, or the objectivity of an outside authority is desired.

Appropriate Federal-aid requirements should be complied with on Federal-aid projects.

Set-Up Evaluation Process

The first step in the evaluation process is to determine that each SOQ contains all forms, qualifications and other information required by the RFQ. Otherwise, the submittals may be considered nonresponsive and rejected without evaluation. Documentation of when each SOQ was received must be maintained in the project files. Copies of date stamped envelope covers or box tops are recommended.

If all required information is not provided, a SOQ may be considered nonresponsive and rejected without evaluation. Late submittals, submittals to the wrong location, or submittals with inadequate copies are considered nonresponsive and must be rejected. Submittal of additional information after the due date must not be allowed.

The LPA must establish a process by which SOQs are evaluated and consultants who are deemed meeting the minimum qualifications are accepted and placed on a pre-qualified list. Whether the LPA has a “committee” of experts evaluating the SOQs or individuals responsible for the evaluation, the process must be well defined, open and transparent. The pre-qualification process must also allow for consultants to be re-evaluated in cases of denials. The LPA must specify how long the pre-qualified list last, not to exceed two years. Federal regulation recommends refreshing the SOQs on an annual basis.

LPA Contract Administrator ensures that all committee members meet the conflict of interest requirements (23 CFR 172) by completing and signing a conflict of interest statement prior to selection process initiation. A sample conflict of interest form is provided in [Exhibit 10-T](#).

Evaluate Qualifications and Add Firm to List

All SOQs received should first be reviewed for completeness. Each response must contain all required forms and any other information requested in the advertisement. The response may be considered incomplete and rejected without further evaluation if all required information is not provided or if the submittal is late.

The qualifications of all responding firms are then reviewed according to established evaluation criteria or factors. The agency then establishes a short list of at least three consultants that are determined to be the most highly qualified to perform the required work. Firms not selected should be notified in writing.

Maintain List

Pre-qualification of a consultant expires in two years. Pre-qualified consultants must renew their pre-qualification status every two years. Firms can apply to be on the list at any time. After a period of two years, firms should re-apply (repeat the process of submitting SOQs) to be on the list. In addition to the required two-year renewal process, the consultant should also be required to update the firm’s organizational structure within one year when there is a corporate/affiliate change, ownership control, type of work expertise, capacity, or any other major change.

If the consultant does not meet the minimum requirements and their SOQ is rejected, the committee must respond to the consultant explaining the reason for their rejection. The consultant is allowed to reapply to be on the list again provided the reasons for rejection are corrected.

The list of qualified firms can be maintained online through the agency's website. Firms can also apply to be on the list through the agency website for ease of operation.

Issue RFP to Pre-Qualified Consultants on List

An RFP is sent to the short-listed firms. The RFP should indicate the content of the technical proposal, technical review procedures, anticipated schedule of activities, scope of work, project description, where the technical proposals are to be delivered, the number of copies required, and the due date.

Some agencies receive the technical proposal orally as part of an interview conducted for this purpose. In these cases, written documentation may not be required.

Items typically required in a technical proposal include:

- Work plan
- Organization plan
- Schedule for meeting time frame
- Available computer equipment and programs
- Staffing plan and resumes including sub-consultants
- Pre-award audit/financial package information (if deemed appropriate)
- Examples of similar work previously completed
- Sub-consultants, DBE, their proposed participation, and other related information

Conduct Proposer's Conference or Answer Written Questions

The LPA may allow for clarification of the RFP by inviting submittal of written questions or by conducting a proposer's conference, or by doing both. The LPA must publish or mail their responses to any written questions to all consultants receiving the RFP. No response should be given to verbal questions. It is important that all competing consultants receive the same information. If a proposer's conference is to be held, the exact time and place must be specified in the RFP. Attendance at a proposer's conference normally is not mandatory. However, consultants not attending the conference do not receive notes from the meeting unless they request the notes.

Receive and Evaluate Technical Proposals

The Contract Administrator must verify that each technical proposal contains all forms and other information required by the RFP. If all required information is not provided, a technical proposal may be considered nonresponsive and rejected without evaluation. Late submittals, submittals to the wrong location, or submittals with inadequate copies are considered nonresponsive and must be rejected. Submittal of additional information after the due date must not be allowed. Documentation of when each technical proposal was received must be maintained in the project files. Copies of date stamped envelope covers or box tops are recommended.

A consultant selection committee with a minimum of three members is appointed at the beginning of the consultant selection process. The members of the consultant selection committee must evaluate each technical proposal according to the technical criteria listed in the RFP. A minimum of three technical proposals must be received and evaluated.

If only two technical proposals are received, a justification must be documented to proceed with the procurement. If only one technical proposal is received, a Non-Competitive process must be justified, and an Exhibit 12-F must be documented. In either case, the re-advertisement of the RFP should be considered as an option.

The committee must also evaluate reference checks and other information gathered independently. Reference checks must be completed, and other information gathered before the interviews are conducted. If necessary, the results of the reference checks or other information may be discussed with the highest ranked qualified consultants at the interviews.

Develop Final Ranking and Notify Consultants of Results

The selection committee discusses and documents the strengths and weaknesses of each technical proposal, interviews the three or more highest ranked consultants (shortlisted), and develops a final ranking of the highest ranked consultants. All consultants that submitted technical proposals must be informed about the final ranking of consultants. It is important that all competing consultants receive the same information.

Most consultants will request information as to why they were not the highest ranked. Therefore, the selection committee should keep notes as to why a particular consultant was not selected. When a consultant requests debriefing, the reasons for not being selected must be objective reasons. The consultant should not be compared to others and should not be provided with information about other consultants during this debriefing. Normally, the Contract Administrator does the debriefing; however, any member of the selection committee may be designated to do the debriefing.

Request Cost Proposal and Negotiate Contract with Top-Ranked Consultant

The first-ranked consultant is asked to provide a cost proposal to perform the work described in the draft contract and discussed at the scoping meeting. The work is to be performed according to the conditions described in the draft contract using the payment method described therein. Alternatively, if time is of the essence and it can be justified, sealed cost proposals may be requested from all of the consultants on the shortlist.

If the contract involves more than one project, the consultant must provide a separate cost proposal for each project in addition to a summary cost proposal for the total contract. If the contract involves milestones, the consultant must furnish a separate cost proposal for each milestone with a summary cost proposal for the total costs. If the contract involves subconsultants, the prime consultant must include a separate cost proposal for each subconsultant. Each subconsultant's cost proposal must follow the same format as the prime consultant's cost proposal.

Cost proposal (for both prime and all subconsultants) and contract audit and review documents, such as Exhibit 10-K and Exhibit 10-A, whichever applicable (see [Section 10.1.3: A&E Consultant Audit and Review Process](#)), will be submitted in a separate sealed envelope.

After the top-ranked consultant submits a sealed cost proposal, the LPA reviews the cost proposal and enters into negotiations. The goal of negotiation is to agree on a final contract that

delivers to the LPA the services or products required at a fair and reasonable cost. The independent cost estimate, developed by the LPA in advance of requesting a cost proposal from the top-ranked consultant, is an important basis and tool for negotiations.

Negotiations should commence with the most qualified consultant. If agreement on a fair and reasonable price cannot be reached, negotiations should then be formally terminated. Negotiations then proceed to the next most qualified consultant, and so on. Each consultant's cost proposal must remain sealed until negotiations commence with that particular consultant. At the completion of successful cost negotiations, all remaining sealed envelopes containing cost proposals must be returned to consultants.

A contract audit and review may be required (see [Section 10.1.3: A&E Consultant Audit and Review Process](#)). The LPA Contract Administrator is responsible for the submittal of all required documentations to Caltrans IOAI in a timely fashion, including all documents for a Conformance Review, if applicable. Negotiations may be completed after receipt of the Caltrans IOAI Conformance Letter. An indirect cost audit may be performed within the record retention period of the contract.

Items typically negotiated include:

- Work plan
- Schedule and deadlines (for deliverables and final duration of contract)
- Products to be delivered
- Classification, wage rates, and experience level of personnel to be assigned
- Other Direct Cost items, and profit or fee

The consultant's ICR is not a negotiable item. A lower rate cannot be negotiated by the LPA.

The LPA and the consultant will agree on the final cost proposal and incorporate into final contract.

Before executing the consultant contract, the LPA must review contract to ensure that all federal and state requirements have been met (see A&E Consultant Procurement Checklist at <https://dot.ca.gov/programs/local-assistance/guidance-and-oversight/consultant-selection-procurement> for sample template).

10.1.8 Completing the Project

Develop the Final Contract

The Contract Administrator requests a revised cost proposal from the consultant after: (1) negotiations have been completed, (2) the LPA and consultant have agreed to a fair and reasonable price, and (3) a letter, if applicable, is released by Caltrans IOAI that accepts, denies or makes an adjustment to the proposed ICR. The Contract Administrator should review the revised cost proposal to ensure that all the items and changes discussed during negotiation were included. This revised cost proposal then becomes the final cost proposal, is attached to and made a part of the consultant contract. Sample contract language and format have been included as [Exhibit 10-R: A&E Boilerplate Agreement Language](#).

The Contract Administrator has responsibility to ensure that the final negotiated contract is complete and has verified that all required backup documents have been provided. Copies of the contract are sent to the consultant for signature first.

Review and Approval of Contracts

Proposed contracts for consultant services (including subcontracted work) must be reviewed by the LPA to verify that:

- Compensation is fair and reasonable and includes prevailing wage rates, if applicable;
- Work activities and schedules are consistent with the nature and scope of the project;
- DBE goal [Exhibit 10-O2: Consultant Contract DBE Commitment](#) is included for all contracts regardless of goal;
- [Exhibit 10-K: Consultant Annual Certification of Indirect Costs and Financial Management System](#) (for Prime and Subs), and [Exhibit 10-A: A&E Consultant Financial Document Review Request](#) and Checklist and all supporting documents, if applicable (contracts at or above \$150,000), have been submitted to Caltrans IOAI;
- If applicable, adjustment or denial of the ICR identified in the Financial Review Letter have been included in the final cost proposal;
- [Exhibit 10-C: A&E Consultant Contract Database](#) must be used to ensure that required documentation has been provided;
- A cost proposal (see [Exhibit 10-H: Sample Cost Proposal](#)), must include the costs of materials, direct salaries, payroll additions, other direct costs, indirect costs, fees, and backup calculations.

Before approving a contract for consulting services, the Contract Administrator must be satisfied that the consultant's organization:

- Is qualified to perform the services required;
- Is in a position, considering other work commitments, to provide competent and experienced personnel to perform the services in the time allowed;
- Is fully aware of all applicable federal and state laws including implementing regulations, design standards, specifications, previous commitments that must be incorporated into the design of the project, and administrative controls including those of Caltrans and FHWA.
- Has an adequate financial management system as required by the applicable federal regulations.
- Is not disbarred or suspended from state or federally funded contracts. Per 23 CFR 172.7(b)(3) "A contracting agency shall verify suspension and debarment actions and eligibility status of consultants and subconsultants prior to entering into an agreement or contract in accordance with 2 CFR 1200 and 2 CFR 180."

The contract must provide for a defined level of acceptability and a statement to the effect that the consultant may be required to modify its work as necessary; to meet that level of acceptability as defined in the contract. The contract must provide for LPA reviews at

appropriate stages during performance of the work, to determine if any changes or other actions are warranted.

The contract must provide that the consultant and subconsultants must maintain all books, documents, papers, accounting records, and other information pertaining to costs incurred. Such materials must be available for inspection and audit by federal, State, and LPA authorized representatives; and copies thereof must be furnished, if requested.

Following final settlement of the contract accounts with the State or FHWA, such records and documents may be archived at the option of the LPA and must be retained for a three-year period after processing of the final voucher by FHWA.

Execute Contract and Issue Notice to Proceed to Consultant

The Contract Administrator sends the consultant a fully executed copy of the contract with an original signature and issues a notice to proceed. Funds may not be used to reimburse the agency for any work or costs incurred before the Authorization to Proceed is issued, or for consultant costs incurred prior to the execution of the consultant contract. All executed **on-call** contracts must have a begin and end date. **All executed project specific or multiphase contracts must have a begin date and should have an end date prior to the Project End Date. Work performed after the Project End Date is not eligible for reimbursement; see LAPM Chapter 3.** LPA consultant selection and contract execution costs may be reimbursable.

For on-call contracts, a fully executed copy of the contract with original signatures will be sent to the consultant. Each subsequent task order (for individual project) will be accompanied with a copy of the signed task order and a Notice to Proceed, once it is negotiated and approved. Task order expiration dates must not exceed the Master On-call agreement end date.

Administer the Contract

Project work begins as specified in the contract after the notice to proceed is issued to the consultant. Thereafter, the LPA manages and administers the contract to ensure that a complete and acceptable product is received on time, within standards, and within budget and terms of the contract.

Contract administration activities help to ensure that contractual obligations are completed satisfactorily. Generally, these activities include:

- Monitoring project progress and compliance with contract requirements;
- Receiving, reviewing and assessing reports, plans, and other required products/deliverables;
- Receiving and reviewing state prevailing wages (see Department of Industrial Relations websites below):
 - [DIR FAQ](http://www.dir.ca.gov/OPRL/FAQ_PrevailingWage.html) website: http://www.dir.ca.gov/OPRL/FAQ_PrevailingWage.html
 - [DIR Wage Determination](http://www.dir.ca.gov/opri/DPreWageDetermination.htm) website: <http://www.dir.ca.gov/opri/DPreWageDetermination.htm>
- Reviewing invoices to ensure costs claimed are in accordance to the method of payment and contract cost proposal, approving payments;
- If new consultant personnel are added or substituted, labor rates must be verified prior to approving invoices.

- Record keeping and reporting;
- Controlling costs;
- Identifying changes to the scope of work and preparation of amendments (must ensure that any changes to the scope is within the constraints of the original RFP/RFQ);
- Completing the consultant performance evaluations (see [Exhibit 10-S: Consultant Performance Evaluation](#)).

Substitution of Consultant Personnel and Subconsultants

After contract execution the consultant should not substitute key personnel (project manager and others listed by name in the cost proposal) or subconsultants without prior written approval from the LPA. Refer to [LAPM Chapter 9: Civil Rights & Disadvantaged Business Enterprise](#) and 49 CFR Part 26 for DBE substitution requirements. To do so can result in the costs being ineligible for federal or state reimbursement. The consultant must request and justify the need for the substitution and obtain approval from the LPA prior to use of a different subconsultant on the contract.

The proposed substituted person must be as qualified as the original, and at the same or lower cost. For engineering types of consultant contracts, the consultant's project manager must be a registered engineer in the State of California.

Invoicing (or Progress Payments)

The frequency and format of the invoices/progress payments are to be determined by the contract. Program Supplement Agreements (see [LAPM Chapter 3: Project Authorization](#)) need to have been prepared prior to any payments being requested. Payments to the consultant are to be in arrears. In other words, the consultant must have actually incurred and paid the costs before invoicing the LPA.

For federal reimbursement of consultant costs on a project, the LPA must submit the following to the DLAE, for each consultant or consulting firm used on the project (failure to do so will result in the consultant's invoices for reimbursement being returned to the agency unprocessed):

- Copy of Executed Consultant contract;
- [Exhibit 10-O1: Consultant Proposal DBE Commitment](#)
- [Exhibit 10-O2: Consultant Contract DBE Commitment](#)
- [Copy of issued task order and Exhibit 10-O2 for the task order for on-call contracts.](#)

DLAE must confirm that the LPA has submitted copies of [Exhibit 10-K: Consultant Annual Certification of Indirect Costs and Financial Management System](#) (for Prime and Subconsultants) to Caltrans IOAI and agency has submitted [Exhibit 10-C: Consultant Contract Database](#) to Caltrans.

The LPA is to follow the procedures given in [LAPM Chapter 5: Invoicing](#), to obtain reimbursement of federal or state funds.

Contract Amendments

Contract amendments are required to modify the terms of the original contract for changes such as extra time, added work, or increased costs. Only work within the original advertised scope of services must be added by amendment to the contract. The addition of work outside the original advertised scope will make that work ineligible for federal or state reimbursement (see [Q&As](#)).

There is no prescribed format for contract amendments. They may take the form of letter-type agreements meeting the legal requirements of the LPA, clearly outlining the changes and containing a mutually agreed upon method of compensation. Such agreements must conform to the requirements of this manual with regard to payment.

A consultant contract may be amended at any time prior to the expiration date of the original contract. The most common amendment is to extend the ending date of the contract. All contract amendments must be fully executed before the ending date of the contract by formal amendment. Failure to amend a contract prior to the ending date will make the subsequent costs ineligible for federal and state reimbursement. Task orders are not considered an amendment and therefore not appropriate to extend the terms of the contract.

All contract amendments must be negotiated following the same procedures as the negotiation of the original contract and must be in writing and fully executed by the consultant and LPA before reimbursable work begins on the amendment. For any additional engineering and design related services outside of the scope of work established in the original solicitation, a contracting agency must either procure the series under a new solicitation, perform the work itself using agency staff, or use a different, existing contract under which the services would be within the scope of work. Overruns in the costs of the work must not automatically warrant an increase in the fixed fee portion of a cost plus fixed fee reimbursed contract. Permitted changes to the scope of work or duration may warrant consideration for adjustment of the fixed fee portion of cost plus fixed fee or lump sum reimbursed contracts. If an emergency exists of such magnitude that a delay cannot be tolerated, the LPA and the consultant may agree on an amendment initiating the work, so that reimbursable work may begin. The initiating amendment is then followed by a final amendment once the full scope of the emergency work is known and agreed to by both parties. In both cases, sufficient funding should be included in the amendments to pay for all work to be performed by the consultant. The final amendment must be executed as quickly as possible. Failure to fully comply with this section may result in the loss of LPA funding. [Section 10.1.3: A&E Consultant Audit and Review Process](#) of this chapter must apply to the entire contract and must be completed prior to execution of the contract amendment. [For contracts greater than or equal to \\$150,000, submit an Exhibit 10-A to IOAI for all amendments on consultant/subconsultant's name change, amending an ICR, or adding new subconsultant's ICR. ICRs that have not been accepted by IOAI are not eligible for federal or state reimbursement. For contracts with original amounts under \\$150,000 but subsequently became greater than or equal to \\$150,000 after amendment, IOAI Financial Document Review is not required. If there are any changes to the contract after submittal of Exhibit 10-C, the LPA must submit an updated Exhibit 10-C to <https://dla.dot.ca.gov/fmi/webd/Exhibit%2010-C> prior to the first invoice after the contract has been amended. Submission of Exhibit 10-C to Caltrans HQ is not required for non-A&E consultant contracts. All amendments must incorporate any current requirements of the federal regulations including the federal fiscal provisions and submit Exhibit 10-C to the \[Exhibit 10-C: A&E Consultant Contract Database\]\(#\) prior to the first invoice after the contract has been amended](#) (please use Firefox or Chrome if not supported by your browser).

Performance Evaluation

Pursuant to 23 CFR 172.9(d)(2) agencies are required to prepare an evaluation of the consultant when the project has been completed. The Contract Administrator evaluates the consultant's performance after the consultant's final report has been submitted, and the Contract Administrator has conducted a detailed evaluation with the consultant's project manager. See [Exhibit 10-S: Consultant Performance Evaluation](#) for a suggested format for use by the LPA.

Project Records

Federal-Aid Highway Program funding recipients and sub-recipients must maintain adequate and readily accessible project performance and financial records, supporting documents, and other records considered pertinent to the grant agreement and in compliance with federal laws and regulations (e.g., 23 USC 112; 40 USC 1101-1104, 23 CFR 172, 48 CFR 31, and 2 CFR 200). These records must be maintained for a minimum of three (3) years following issuance of the final voucher from FHWA (forwarded by Caltrans) and the closure of all other pending matters (2 CFR 200.333).

For audit purposes, project records and documentation must be kept for three (3) years after payment of the final federal or state voucher. Among the records to be retained are as follows (not an all-inclusive list):

- Copies of RFPs and RFQs, changes, addendums, etc. and bidder's list;
- Documentation of DBE participation (including [Exhibit 10-O1: Consultant Proposal DBE Commitment](#), [Exhibit 10-O2: Consultant Contract DBE Commitment](#), [Exhibit 10-G: Individual A&E Task Order DBE Tracking Sheet](#), [Exhibit 17-F: Final Report – Utilization of DBE and First-Tier Subcontractors](#) or [Exhibit 17-F1: Final Report-Utilization of Disadvantaged Business Enterprise \(DBE\) for On-Call Contracts](#), and [Exhibit 17-O: DBE Certification Status Change](#)).
- Solicitation and advertisement records;
- Identification of selection committee members;
- Record of receiving proposals, statement of qualifications;
- Evaluation and ranking records such as original score sheets from all panel members, short list questions and other documentation (see [Exhibit 10-B: Suggested Consultant Evaluation Sheet](#));
- Independent cost estimate (prepared in advance of requesting a cost proposal from the top-ranked consultant);
- Record of negotiations (to include a separate negotiation of profit in accordance with federal guidelines);
- Financial Review Letter and Cognizant Agency Letter, when applicable;
- CPA-audited ICR Audit Report or Approved State DOT Cognizant Indirect Rate Letter, if any;
- Consultant Certification of Costs and Financial Management ([Exhibit 10-K: Consultant Annual Certification of Indirect Costs and Financial Management System](#)) for contracts over \$150,000 or more;

- A&E Consultant Audit Request Letter and Checklist ([Exhibit 10-A: Consultant Financial Document Review Request](#)) for contracts at or over \$150,000 and all supporting documentation.
- Executed consultant contracts, cost proposals and amendments (see [Exhibit 10-R: A&E Boilerplate Agreement Language](#) and [Exhibit 10-H: Sample Cost Proposal](#));
- Contract oversight and progress meeting documents;
- Progress and final payments, and supporting documentation;
- Performance evaluation (see [Exhibit 10-S: Consultant Performance Evaluation](#));
- Consultant contract checklists (see [Exhibit 10-C: A&E Consultant Contract Database](#));
- Accounting records documenting compliance with State and federal administrative requirements;
- Certifications and Conflict of Interest forms ([Exhibit 10-T: Conflict of Interest & Confidentiality Statement](#), all personnel involved in the procurement of the agreement should complete Exhibit 10-T [Exhibit 10-U: Consultant in Management Support Role Conflict of Interest and Confidentiality Statement](#) and [Exhibit 10-Q: Disclosure of Lobbying Activities](#), as appropriate). Exhibit 10-Q is included in the solicitation and must be completed if the consultant needs to disclose any lobbying activities.

Retention Clauses

At the option of the LPA, a retention clause may be included in the consultant contract. A retention clause in the consultant contract is recommended (see [Exhibit 10-R: A&E Boilerplate Agreement Language](#), Article VIII).

Review of Local Public Agency Actions

Federal-aid or state reimbursement is contingent on meeting the federal or state requirements and can be withdrawn, if these procedures are not followed and documented. The LPA files are to be maintained in a manner to facilitate future FHWA or Caltrans process reviews and audits. As specified in the Review and Approval of Contracts above, the Contract Administrator must review the proposed consultant contract before execution.

[Exhibit 10-C: A&E Consultant Contract Database](#) is to be completed prior to award, or after contract award but no later than the first invoice. A copy of Exhibit 10-C must be retained in the LPA project files.

10.1.9 Miscellaneous Considerations

Agreements with Other Governmental Agencies

Intergovernmental or inter-entity agreements are encouraged if appropriate. If another governmental agency is requested to do work or provide services to an agency, an interagency agreement is needed. See 2 CFR 200 and CA Government Codes 10340 and 11256.

Small Purchase Contracts

Contracts that are less than \$250,000 are considered small contracts in accordance with federal regulations. However, within the State of California, there is no recognized small purchase procedure and all A&E contracts are procured using qualifications based selection and not cost.

For federal contracts that are less than \$250,000 and are not anticipated to exceed this amount, the agency must use either [Section 10.2: State-Only Funded A&E Contracts](#) or the federal guidance for contracts greater than \$250,000. If the contract is anticipated to exceed \$250,000, use one of the accepted procurement procedures listed in the previous sections. Small contracts using the simplified acquisition procedure (State-Only funded section) must not exceed \$250,000 or the additional costs are considered not reimbursable. The entire contract could also be considered ineligible by FHWA depending on circumstances. The scope of work, project phases, and contract requirements must not be broken down into smaller components to permit the use of small purchase procedure. DBE requirements apply for all federally funded projects.

Noncompetitive Negotiated Contracts (Sole-Source)

Procurement by noncompetitive proposals may be used only when the award of a contract is infeasible under sealed bids or competitive proposals (23 CFR 172.7(a)(3)).

FHWA considers these types of contracts as Sole Source contracts and should be used only in very limited circumstances. An Exhibit 12-F prepared by the LPA and approved by Caltrans is required before establishing these services (23 CFR 172.7(a)(3)); also see [Exhibit 12-F: Cost-Effectiveness/Public Interest Finding/A&E Noncompetitive](#).

Conditions under which noncompetitive negotiated contracts may be acceptable include:

- Only one organization is qualified to do the work;
- An emergency exists of such magnitude that cannot permit delay;
- Competition is determined to be inadequate after solicitation of a number of sources.

The LPA must:

- Follow its defined process for noncompetitive negotiation;
- Develop an adequate scope of work, evaluation factors, and cost estimate before solicitation;
- Conduct negotiations to ensure a fair and reasonable cost.

The LPA must carefully document details of the special conditions, obtain Caltrans approval on the Exhibit 12-F and retain all documents in the project files for future Caltrans' or FHWA's review.

Retaining a Consultant as an Agency Engineer or in Management Support Role

An LPA may retain qualified consultants in a management support role on its staff in professional capacities for federal-aid projects such as:

- A City Engineer (or equivalent) who manages the engineering unit for the city, providing oversight of a project, series of projects, managing or directing work of other consultants or contractors on behalf of the City.
- A County Engineer (or equivalent) who manages the engineering unit for the county such as duties described above.
- A Project Manager (or equivalent) who manages and oversees a project, series of projects or the work of other consultants and contractors on behalf of the public agency.

- A Program Manager (or equivalent) who manages and oversees an element of a highway program, function, or service on behalf of the public agency.

However, typically a consultant in a management support role is not:

- A consultant engineer performing project-specific design, and/or construction contract administration and construction engineering for the public agency.
- A consultant providing support to administrative duties such as federal authorization process, labor compliance activities, and other management and administrative tasks.

The use of a consultant in a management support role should be limited to unique or very unusual situations. These situations require a thorough justification as to why the LPA cannot perform the management. Consultants used in management support roles must be selected using the same procedures as those for other consultants specified in this chapter. Consultants in a Management Support Role funded by local or state funds must have approval from FHWA to be considered qualified to manage federal projects or consultants providing services on federal projects.

Eligibility for federal or state reimbursement for a consultant in a management support role requires the following:

- Compliance with the selection procedures specified in this chapter;
- Existence of a contract between the LPA and the consultant specifying the LPA engineering services to be performed;
- Written designation by the LPA of the responsibilities and authority of the consultant as an agency engineer;
- For a federal-aid project, completion of [Exhibit 10-T: Conflict of Interest & Confidentiality Statement](#) by all members (both consultants and employees) prior to participating in the Architect & Engineering (A&E) Selection Panel pertaining to the specific selection process and the firms being considered;
- Selection of consultants for A&E management positions must be by the use of qualification-based selection procedures on an open and competitive basis resulting in a contract with defined beginning and ending dates not to exceed five (5) years;
- For a federal-aid project, an LPA consultant in a management support role must not:
 - Participate in, or exercise authority over the A&E selection process, if that consultant's firm is one of the proposing firms, or subconsultant to a proposing firm;
 - Participate in, or exercise authority over management of work performed by the consultant's firm, or to a consultant's firm of which the LPA consultant firm is a subconsultant. This would include, but not be limited to, managing or directing the work, approving changes in the schedule, scope, or deliverables; and approving invoices.
 - Apply for or receive reimbursement of federal-aid funds for the LPA's federal-aid project if either of the foregoing has occurred. However, reimbursement for the construction contract portion of the project will still be allowed provided all other federal-aid requirements have been met.

- Where benefiting more than a single federal-aid project, allocability of consultant contract costs for services related to a management support role must be distributed consistent with the cost principles applicable to the contracting agency in 23 CFR 172.7(b)(5).

If engineering services for a project are within the scope of the services described in the retained consultant's contract, these services may be performed by the person or firm designated as an agency engineer. If the services are not within the scope, eligibility for federal reimbursement for these services require a new consultant contract to be developed using the selection procedures in this chapter. Retained consultants involved in the preparation of the RFP or RFQ must not be considered in the selection of consultants for the resulting project specific work.

When engineering or architectural consultants in a management support role are procured with federal-aid funds, the LPA (subgrantee) must fully comply with the following:

- Subparagraphs of 2 CFR 200.318 maintain a contract administration system and maintain a written code of standards. No employee, officer or agent of the subgrantee must participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved.
- Subparagraph of 23 CFR 172.7(b) requires that the LPA must receive approval from FHWA. In addition, any federal-aid projects designated as Projects of Division Interest may also need approval from FHWA.
- Liability insurance should normally be required from the consultant (errors and omissions, etc.).

For federally funded projects, LPAs that solicit to hire A&E consultant(s) in a management support role must obtain FHWA approval prior to contract execution.

In order for a contract for a consultant in a management support role to be federally eligible, the following are required prior to contract execution:

- The LPA must submit a request for approval via email, the Scope of Work (SOW) and Conflict of Interest (COI) Policy to the Division of Local Assistance-Headquarters (DLA-HQ) at aeoversight@dot.ca.gov, prior to solicitation.
- Once the LPA receives FHWA's written response, the LPA may need to revise the documents reflecting FHWA's opinions and can proceed with the RFQ.
- After consultant selection, the LPA must submit the completed [Exhibit 10-U: Consultant in Management Support Role Conflict of Interest and Confidentiality Statement](#) to the DLA-HQ at aeoversight@dot.ca.gov. LPA will receive FHWA's approved [Exhibit 10-U](#) via email.

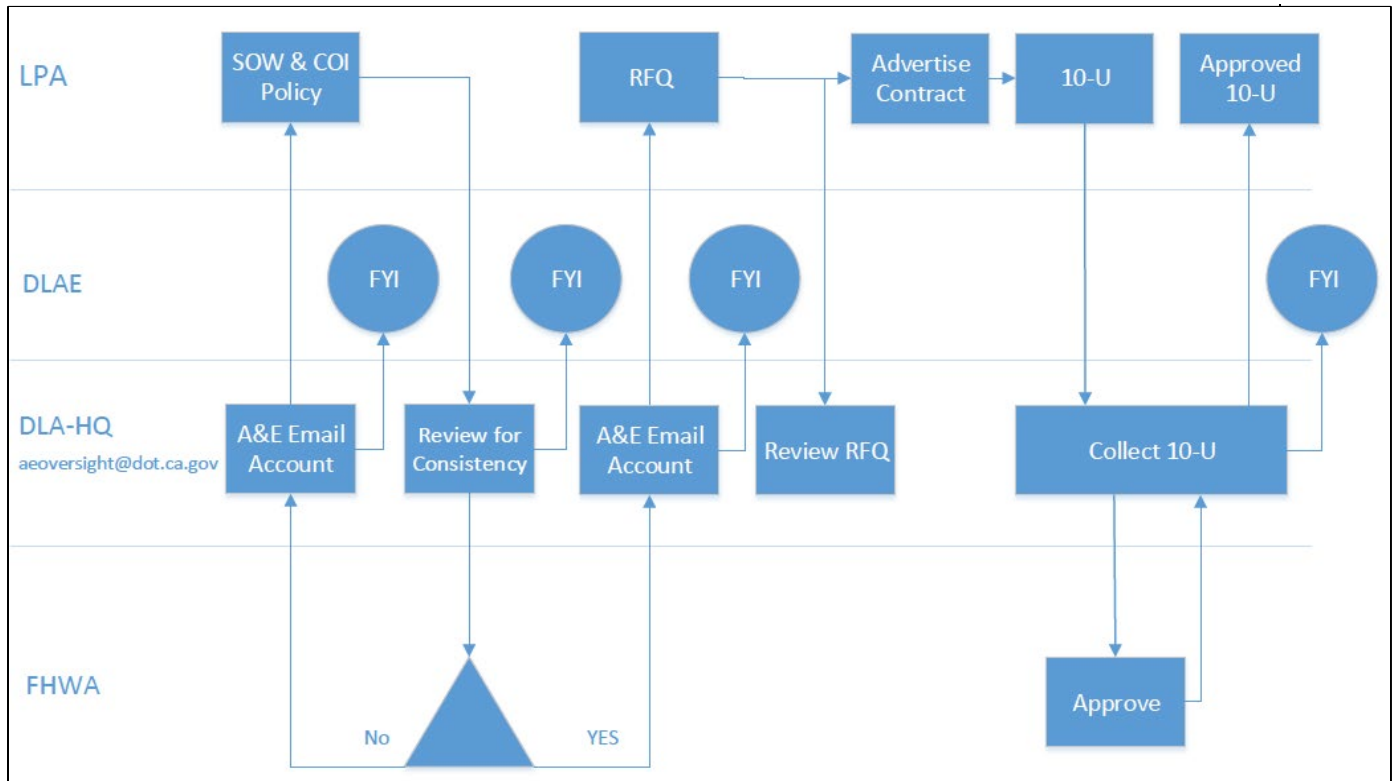


Figure 10-5: Consultant in a Management Support Role Flowchart

Construction Engineering Services

Under federal-aid regulations and state policy, the primary responsibility for general supervision of construction must remain with the LPA. The LPA must also ensure that the work is performed in accordance with the approved plans and specifications, by employing or retaining as a consultant a registered engineer for construction engineering services on the project.

All construction engineering activities performed by a consultant must be under the overall supervision of a full-time employee of the agency who is in responsible charge. These activities may include preparation of contract change orders, construction surveys, foundation investigations, measurement, and computation of quantities, testing of construction materials, checking of shop drawings, preparation of estimates, reports, and other inspection activities necessary to ensure that the construction is being performed in accordance with the plans and specifications. The construction engineering consultant’s contract defines the relative authorities and responsibilities of the full-time employee of the LPA in charge of the project and the consultant’s construction engineering staff.

If a technical inspection consultant is to provide professional assistance to the LPA, a formal consultant contract must be executed which follows this chapter’s requirements. The contract must provide for reviews at appropriate stages during performance of the work to determine if any changes or other actions are warranted. These reviews are to be made by the LPA.

10.1.10 Program Management

According to 23 CFR 172.5, LPAs are required to adopt written policies and procedures prescribed by Caltrans. As such, the LPA must adopt Caltrans Local Assistance Chapter 10: Consultant Selection, which contain the A&E policies and procedures.

To meet this requirement, LPAs are required to email and provide one of the following documents to the DLA Office of Guidance and Oversight (OGO) at aeoversight@dot.ca.gov:

1. A Board Resolution showing that the LPA is adopting Caltrans LAPM Chapter 10; OR
2. An official letter signed by the LPA's Public Works Director or equivalent manager addressed to the DLA OGO Office Chief, stating that the agency is adopting Caltrans LAPM Chapter 10

The DLA A&E [website](#) includes an example of the adoption [resolution](#) and [letter](#). These examples are for reference only; the appropriate language to be used is determined by the individual agency.

LPAs are responsible for providing all resources necessary for the procurement, management, and administration of A&E consultant contracts including subcontracts. Ensuring consultant costs billed are allowable in accordance with the Federal cost principles and consistent with the contract terms as well as the acceptability and progress of the consultant's work;

- Monitoring the consultant's work and compliance with the terms, conditions, and specifications of the contract;
- Preparing a consultant's performance evaluation when services are completed and using such performance data in future evaluation and ranking of consultant to provide similar services;
- Closing-out a contract;
- Retaining supporting programmatic and contract records, as specified in 2 CFR 200.333 and the requirements of this part;
- Determining the extent to which the consultant, which is responsible for the professional quality, technical accuracy, and coordination of services, may be reasonably liable for costs resulting from errors and omissions in the work furnished under its contract;
- Assessing administrative, contractual, or legal remedies in instances where consultants violate or breach contract terms and conditions, and providing for such sanctions and penalties as may be appropriate; and
- Resolving disputes in the procurement, management, and administration of engineering and design related consultant services.

10.1.11 References

2 CFR Part 200

http://www.ecfr.gov/cgi-bin/text-idx?SID=eb0db4a32ce93fdc5815e6fe58791d9d&mc=true&tpl=/ecfrbrowse/Title02/2cfr200_main_02.tpl

2 CFR Part 215 Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations

<https://www.govinfo.gov/app/details/CFR-2012-title2-vol1/CFR-2012-title2-vol1-part215/context>

23 USC Letting of Contracts

<http://www.fhwa.dot.gov/map21/docs/title23usc.pdf>

- 23 CFR, Part 172 Administration of Engineering and Design Related Service Contracts
<http://www.ecfr.gov/cgi-bin/text-idx?rgn=div5&node=23:1.0.1.2.3>
- 40 USC, Section 1104 Brooks Act
<https://www.govinfo.gov/app/details/USCODE-2011-title40/USCODE-2011-title40-subtitle-chap11/context>
- 41 CFR Public Contracts and Property Management
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title41/41tab_02.tpl
- 41 USC Public Contracts
<https://www.govinfo.gov/content/pkg/USCODE-2009-title41/html/USCODE-2009-title41.htm>
- 48 CFR, Chapter 1, Subpart 15.404
<https://www.acquisition.gov/far/part-15>
- 48 CFR, Chapter 1, Part 31
<https://www.acquisition.gov/far/part-31>
- 48 CFR, Chapter 1, Part 16 – Types of Contracts
<https://www.acquisition.gov/far/part-16>
- 48 CFR 27, Chapter 1, Subpart 27.3 – Patent Rights under Government Contracts
<https://www.acquisition.gov/far/part-27>
- 48 CFR, Chapter 1, Subpart 31.201-3 – Determining Reasonableness
<https://www.acquisition.gov/far/part-31>
- 48 CFR, Chapter 99 – Cost Accounting Standards, Part 9904
https://www.acquisition.gov/chapter_99
- 49 CFR, Part 26 Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs
http://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title49/49cfr26_main_02.tpl
- American Association of State Highway and Transportation Officials (AASHTO) Uniform Audit and Accounting Guide
<https://audit.transportation.org/>
- Caltrans Division of Procurement and Contracts Website
<http://www.dot.ca.gov/dpac/index.html>
- California Labor Code, Section 1775
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=LAB§ionNum=1775
- Government Auditing Standards (GAS) issued by the United States Government Accountability Office
<http://www.gao.gov/yellowbook/overview>
- Government Code Sections 4525 through 4529.5 and Sections 4529.10 through 4529.20
https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=5.&title=1.&part=&chapter=10.&article=

https://leginfo.legislature.ca.gov/faces/codes_displayText.xhtml?lawCode=GOV&division=5.&title=1.&part=&chapter=10.1.&article=

Standard Environmental Reference (SER)

<http://www.dot.ca.gov/ser/>

10.2 STATE-ONLY FUNDED A&E CONTRACTS

A&E State-Only	Division of Local Assistance Minimum Requirements for State-only funded A&E Contracts
<input type="checkbox"/>	A. Written Procedures
<input type="checkbox"/>	B. Conflict of Interest
<input type="checkbox"/>	C. Records
<input type="checkbox"/>	D. Full & Open Competition
<input type="checkbox"/>	E. Selection Basis
<input type="checkbox"/>	F. Publication
<input type="checkbox"/>	G. Solicitation
<input type="checkbox"/>	H. Cost Analysis
<input type="checkbox"/>	I. Negotiations
<input type="checkbox"/>	J. Audit and Review Process
<input type="checkbox"/>	K. Exhibit 10-C: A&E Consultant Contract Database

10.2.1 General

LPAs are required to follow all applicable local and state regulations including those listed in LAPM Chapter 10 in accordance with their State Master Agreement. Although the requirements listed in this section are minimum requirements, the LPA must use good engineering judgment and best practices to document their processes and procedures when procuring A&E contracts utilizing qualifications based selections. [LPAs using local funds to procure an A&E Consultant on a state-only funded project and will not seek state reimbursement for consultant cost may choose not to follow the selection and contracting procedures detailed in Section 10.2 of this chapter.](#)

All consultants must comply with 48 CFR 31: Contract Cost Principles and Procedures. Also, consultants and LPAs must comply with 2 CFR 200: Uniform Administrative

Requirements, Cost Principles, and Audit Requirements for Federal Awards, excluding sections 200.318-200.326 Procurement Standards (reference Federal Highway Administration December 4, 2014 Memorandum Action: 2 CFR 200 Implementation Guidance).

Agency state-only funded (SOF) agreements must contain the required federal fiscal provisions from 2 CFR 200 in all Division of Local Assistance funded agreements. [Exhibit 10-R: A&E Boilerplate Agreement Language](#) contains 2 CFR 200 requirements and may also be used in SOF agreements. Depending upon the scope of work, the required contract provisions may need to include the California State Prevailing Wages.

All proposed A&E contracts and supporting documents (including state-only funded) are subject to audit or review by Caltrans' Independent Office of Independent Office of Audits and Investigations (IOAI), other state audit organizations, or the federal government and required to follow [LAPM Section 10.1.3 A&E Consultant Audit and Review Process](#).

For consultant contracts, procured with local or state funds, to provide services for federal-aid projects, or to oversee or manage other consultants providing these services, the Consultant in Management Support Role process must be completed to be eligible for reimbursement. Refer to [Section 10.1.9 Miscellaneous Considerations: Retaining a Consultant as an Agency Engineer or in a Management Support Role](#).

DBE contract goals are not required for state-only funded contracts.

This guidance is for contracts utilizing state funds only. If any federal funds are added or reimbursed, the federal process must be followed.

Non-A&E consultant contracts reference [Section 10.3: Non-A&E Contracts](#).

Reference: California Government Code Title 1, Division 5, Chapter 10, Contracts with Private Architects, Engineering, Land Surveying, and Construction Project Management Firms §4525-4529.5.

10.2.2 Definition of A&E

Architectural, landscape architectural, engineering, environmental, and land surveying services includes those professional services of an architectural, landscape architectural, engineering, environmental, or land surveying nature as well as incidental services that members of these professions and those in their employ may logically or justifiably perform.

Construction project management means those services provided by a licensed architect, registered engineer, or licensed general contractor. Any individual or firm proposing to provide construction project management services must provide evidence that the individual or firm and its personnel carrying out onsite responsibilities have expertise and experience in construction project design review and evaluation, construction mobilization and supervision, bid evaluation, project scheduling, cost-benefit analysis, claims review and negotiation, and general management and administration of a construction project.

Environmental services mean those services performed in connection with project development and permit processing in order to comply with federal and state environmental laws.

Reference: California Government Code §4527

10.2.3 Minimum Audit Requirements

A. Written Procedures

Local agencies shall follow the minimum requirements listed below in addition to any local laws and regulations.

Reference: California Government Code §4526

B. Conflict of Interest

The LPA must develop and maintain a written code of conduct governing the performance of its employees engaged in the award and administration of state funded contracts, including the prevention of conflicts of interest.

References:

California Government Code §4526

California Government Code §1090

California Government Code §4529.12

C. Records

Local agencies shall keep adequate records of all contracts including the procurement, project management, accounting and financial administration.

References:

California Government Code §4529.14

California Government Code §4006

D. Full & Open competition

All A&E contracts shall be procured through a qualifications-based selection utilizing open and fair competition. Evaluate at least three consultants using published evaluation criteria and rank these firms in order of preference. If less than three consultants are evaluated, provide justification for agency file.

References:

California Government Code §4526

California Government Code §4527

E. Selection Basis

Selection of a firm shall be based on qualifications and the order of ranked preference.

References:

California Government Code §4526

California Government Code §4527

F. Publication

Solicitations for A&E contracts shall be in a manner that is open and competitive.

Reference: California Government Code §4527

G. Solicitation

The solicitations shall include published evaluation criteria to rank in order of preference. Clearly define expectations in the solicitation in order to evaluate firms.

Reference: California Government Code §4527

H. Cost Analysis

An independent cost comparison to the consultant's cost proposal shall be done in order to ensure the contract is negotiated at a fair and reasonable price.

Reference: California Government Code §4528

I. Negotiations

Negotiations must be documented to verify a fair and reasonable contract has been executed using public funds.

Reference: California Government Code §4528

J. Audit and Review Process

A&E contracts procured by public agencies shall be subject to standard accounting practices and may require financial and performance audits. All agencies shall follow the Audit and Review Process as stated in [Section 10.1.3: A&E Consultant Audit and Review Process](#).

[Exhibit 10-A: A&E Consultant Financial Document Review Request](#)

Reference: California Government Code §4529.14

K. Exhibit 10-C: A&E Consultant Contract Database

Exhibit 10-C: A&E Consultant Contract Database must be completed at <https://dla.dot.ca.gov/fmi/webd> (please use Firefox or Chrome if not supported by your browser) prior to contract award, or after contract award but no later than the first invoice for all new state-only funded A&E consultant contracts.

If there are any changes requiring an amendment to the contract after submittal of Exhibit 10-C, the LPA must submit an updated Exhibit 10-C to <https://dla.dot.ca.gov/fmi/webd/Exhibit%2010-C> prior to the first invoice after the contract has been amended. Submission of Exhibit 10-C to Caltrans HQ is not required for non-A&E consultant contracts

CA Government Code References

California GOV §1090

(a) Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members. Nor shall state, county, district, judicial district, and city officers or employees be purchasers at any sale or vendors at any purchase made by them in their official capacity.

(b) An individual shall not aid or abet a Member of the Legislature or a state, county, district, judicial district, or city officer or employee in violating subdivision (a).

(c) As used in this article, "district" means any agency of the state formed pursuant to general law or special act, for the local performance of governmental or proprietary functions within limited boundaries.

California GOV §4006

Plans, specifications, work authorizations describing work to be performed, and all other information referred to in this chapter are open to inspection and examination as a public record.

California GOV §4525

For purposes of this chapter, the following terms have the following meaning:

(a) "Firm" means any individual, firm, partnership, corporation, association, or other legal entity permitted by law to practice the profession of architecture, landscape architecture, engineering, environmental services, land surveying, or construction project management.

(b) "State agency head" means the secretary, administrator, or head of a department, agency, or bureau of the State of California authorized to contract for architectural, landscape architectural, engineering, environmental, land surveying, and construction project management services.

(c) "Local agency head" means the secretary, administrator, or head of a department, agency, or bureau of any city, county, city and county, whether general law or chartered, or any district which is authorized to contract for architectural, landscape architectural, engineering, environmental, land surveying, and construction project management services.

(d) "Architectural, landscape architectural, engineering, environmental, and land surveying services" includes those professional services of an architectural, landscape architectural, engineering, environmental, or land surveying nature as well as incidental services that members of these professions and those in their employ may logically or justifiably perform.

(e) "Construction project management" means those services provided by a licensed architect, registered engineer, or licensed general contractor which meet the requirements of Section 4529.5 for management and supervision of work performed on state construction projects.

(f) "Environmental services" means those services performed in connection with project development and permit processing in order to comply with federal and state environmental laws. "Environmental services" also includes the processing and awarding of claims pursuant to Chapter 6.75 (commencing with Section 25299.10) of Division 20 of the Health and Safety Code.

California GOV §4526

Notwithstanding any other provision of law, selection by a state or local agency head for professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required. In order to implement this method of selection, state agency heads contracting for private architectural, landscape architectural, professional engineering, environmental, land surveying, and construction project management services shall adopt by regulation, and local agency heads contracting for private architectural, landscape architectural, professional engineering, environmental, land surveying, and construction project management services may adopt by ordinance, procedures that assure that these services are engaged on the basis of demonstrated competence and qualifications for the types of services to be performed and at fair and reasonable prices to the public agencies. Furthermore, these procedures shall assure maximum participation of small business firms, as defined by the Director of General Services pursuant to Section 14837.

In addition, these procedures shall specifically prohibit practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when those employees have a relationship with a person or business entity seeking a contract under this section which would subject those employees to the prohibition of Section 87100.

California GOV §4527

In the procurement of architectural, landscape architectural, engineering, environmental, land surveying, and construction project management services, the state agency head shall encourage firms engaged in the lawful practice of their profession to submit annually a statement of qualifications and performance data.

(a) When the selection is by a state agency head, statewide announcement of all projects requiring architectural, landscape architectural, engineering, environmental, land surveying, or construction project management services shall be made by the agency head through publications of the respective professional societies. The agency head, for each proposed project, shall evaluate current statements of qualifications and performance data on file with the agency, together with those that may be submitted by other firms regarding the proposed project, and shall conduct discussions with no less than three firms regarding anticipated concepts and the relative utility of alternative methods of approach for furnishing the required services and then shall select therefrom, in order of preference, based upon criteria established and published by him or her, no less than three of the firms deemed to be the most highly qualified to provide the services required.

(b) When the selection is by a local agency head, the agency head may undertake the procedures described in subdivision (a). In addition, these procedures shall specifically prohibit practices which might result in unlawful activity including, but not limited to, rebates, kickbacks, or other unlawful consideration, and shall specifically prohibit government agency employees from participating in the selection process when these employees have a relationship with a person or business entity seeking a contract under this section.

California GOV §4528

(a) When the selection is by a state agency head the following procedures shall apply:

(1) The state agency head shall negotiate a contract with the best qualified firm for architectural, landscape architectural, engineering, environmental, land surveying, and construction project management services at compensation which the state agency head determines is fair and reasonable to the State of California or the political subdivision involved.

(2) Should the state agency head be unable to negotiate a satisfactory contract with the firm considered to be the most qualified, at a price the agency head determines to be fair and reasonable to the State of California or the political subdivision involved, negotiations with that firm shall be formally terminated. The state agency head shall then undertake negotiations with the second most qualified firm. Failing accord with the second most qualified firm, the state agency head shall terminate negotiations. The state agency head shall then undertake negotiations with the third most qualified firm.

(3) Should the state agency head be unable to negotiate a satisfactory contract with any of the selected firms, the state agency head shall select additional firms in order of their competence and qualification and continue negotiations in accordance with this chapter until an agreement is reached.

(b) When the selection is by a local agency head, the local agency head may undertake the procedures described in subdivision (a).

California GOV §4529

This chapter shall not apply where the state or local agency head determines that the services needed are more of a technical nature and involve little professional judgment and that requiring bids would be in the public interest.

California GOV §4529.12

All architectural and engineering services shall be procured pursuant to a fair, competitive selection process which prohibits governmental agency employees from participating in the selection process when they have a financial or business relationship with any private entity seeking the contract, and the procedure shall require compliance with all laws regarding political contributions, conflicts of interest or unlawful activities.

California GOV §4529.14

Architectural and engineering services contracts procured by public agencies shall be subject to standard accounting practices and may require financial and performance audits as necessary to ensure contract services are delivered within the agreed schedule and budget.

California GOV §4529.20

This act seeks to comprehensively regulate the matters which are contained within its provisions. These are matters of statewide concern and when enacted are intended to apply to charter cities as well as all other governmental entities.

Federal Highway Administration Memorandum 2 CFR Part 200
Implementation Guidance 12/4/2014

Attachment A: FHWA 2 CFR Part 200 Uniform Guidance – Questions and Answers

Question 21: “Will the FHWA/USDOT provide a waiver of the requirements in 2 CFR 200.317 for subrecipients to comply with State procurement requirements or other policies and procedures approved by the State (200.317)?”

Answer: Yes. The USDOT requested and received an OMB waiver of the requirements in 2 CFR 200.317 concerning procurement by subrecipients. This waiver provides an exception to the requirement for all subrecipients of a state to follow the procurement requirements in Sections 200.318 through 200.326. The waiver will allow States and subrecipients to continue to use state-approved procurement procedures as they did under part 18 prior to the adoption of the Uniform Guidance.

Figure 10.2 State-Only Funded Procurement Criteria

To comply with CA Government Code (GC) 4525-4529.5, 48 Code of Federal Regulations (CFR) Part 31: Contract Cost Principles and Procedures, 2 CFR Part 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (excluding sections 200.318-200.326), Caltrans Local Assistance Procedures Manual (LAPM) and other applicable STATE and FEDERAL regulations.

A&E Consultants		
Requirements for LGAs that use State funding		Use State requirements below
A.	Written Procedures	GC 4526
B.	Conflict of Interest	GC 1090, GC 4527(b), GC 4529.12
C.	Records	GC 4529.14, 4006
D.	Full & Open Competition	GC 4526, GC 4527, GC 4529.12
E.	Selection Basis	GC 4526*, 4527
F.	Publication	GC 4527
G.	Solicitation	GC 4527
H.	Cost Analysis	GC 4528
I.	Negotiations	GC 4528
J.	A&I Audit & Review Process	GC 4529.14, LAPM Ch. 10, 2 CFR 200
K.	Exhibit 10-C: A&E Consultant Contract Database	LAPM Ch. 10.2

*Mini Brooks Act - State regulation requiring the initial selection of engineering and architecture firms be based upon qualifications and experience rather than by price. Price is then later negotiated.

10.3 NON-A&E CONTRACTS

Scope

This section covers the procurement requirements for the services that are not included in [Section 10.1 Federally Funded A&E Contracts](#) and [Section 10.2 State-Only Funded A&E Contracts](#). This guidance is for contracts utilizing federal-aid funds and state funds. Federal regulations refer to state and local regulations for non-A&E type contracts. Although LPAs are required to follow 2 CFR 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards for all contracts, the Procurement Standards section 200.318-200.326 is exempt. The guidance in this section follows the established regulations in the California Public Contract Code. Depending upon the scope of work, the required contract provisions may need to include the California State Prevailing Wages.

LPA must designate one person within the LPA as a contract manager.
(PCC 10348.5)

LPAs using local funds to procure non-A&E Consultants on a federal-aid funded or state-only funded project and will not seek federal or state reimbursement for consultant cost may choose not to follow the selection and contracting procedures detailed in Section 10.3 of this chapter.

Determining Non-A&E

After identifying that there is a need for consulting services, the LPA must determine that the services needed are more of a technical nature and involve minimal professional judgement and that requiring a cost proposal would be in the public's best interest. These type of consultant services that are not directly related to a highway construction project or that are not included in the definition of engineering and design related services are considered non-A&E. The services must not be included in Section 10.2.2 Definition of A&E.

The determining factor is whether the services being procured are related to a specific construction project and whether the services require work to be performed, provided by, or under the direction of a registered engineer or architect.

Example of Determining Non-A&E

Material testing has been requested to ensure quality assurance on a construction project. The service includes only performing the material test and providing material test data. Although the service is related to a construction project, the overall service did not provide an evaluation or a discipline report. In this example, the LPA can determine that the service provided is more of a technical nature and is therefore a non-A&E service.

The following is a list of the more common non-A&E services:

- Right-of-Way Appraisal
- Right-of Way acquisition activities
- Conducting public outreach during environmental clearance or construction
- Active Transportation Program educational and outreach activities
- Intelligent Transportation System (ITS)
- Non-Infrastructure

- [Local Roadway Safety Plan \(LRSP\) associated with Highway Safety Improvement Program \(HSIP\)-funded projects](#)

Intelligent Transportation System (ITS) Projects

Intelligent Transportation System (ITS) means electronic, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system. ITS projects are those that in whole or in part, funds the acquisition of technologies or systems of technologies that provide significant contributions to the provision of one or more ITS user services as defined in the National ITS Architecture.

The federal-aid procurement regulations identify three possible contract procurement procedures for ITS projects including engineering and design related services (A&E), construction, and non-engineering/non-architectural (non-A&E).

If ITS projects include physical installation of field devices and/or communications infrastructure, such as new traffic signals, new controller cabinets, changeable message signs, radio and computers, vehicle detectors, and conduits for cabling in the roadway, then that work and required equipment usually meets the definition of construction. The construction contract must be procured based on competitive bidding. If the ITS project involves software development, system integration, hiring engineers and specialists for ITS design and installation support, inspection, design documentation, training and deployment, it may be considered an engineering and design services contract and the contract must be procured as an A&E consultant contract. If the scope of work is unclear as to whether it is an A&E type of work, contact aeoversight@dot.ca.gov for assistance.

However, if an ITS project does not meet either the definition of construction or engineering and design services, then the contract may be considered to be a non-A&E consultant contract.

Examples of non-A&E consultant contracts are:

- The procurement of hardware and software associated with incident management system;
- Software systems for arterial and freeway management systems;
- Operating the 511 traveler information service;
- Nonprofessional services for system support such as independent validation and verification, testing and specification development;

For more information regarding Intelligent Transportation Systems (ITS) Program procurement requirements, refer to [LAPG Chapter 13: Intelligent Transportation Systems](#).

Non-Infrastructure Projects

Non-infrastructure (NI) projects are those transportation-related projects that do not involve either engineering design, Right-of-Way acquisition (for additional guidance refer to [LAPM Chapter 13](#)), or the eventual physical construction of transportation facilities.

Procurement of non-A&E consultant contracts associated with non-infrastructure projects must follow Non-A&E procurement procedures described in this chapter. For more information on NI projects, refer to [LAPM Chapter 3: Project Authorization](#).

Governing Regulations and Codes for Non-A&E

When procuring non-A&E services with federal-aid funds, LPAs must comply with 2 CFR 200: Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, excluding sections 200.318-200.326 Procurement Standards (reference Federal Highway Administration December 4, 2014 Memorandum Action: 2 CFR 200 Implementation Guidance, Attachment A). LPAs must follow the same policies and procedures that the State uses for procurement with its non-Federal funds. When procuring non-A&E services with federal-aid and state-only funds, the governing procurement code is Public Contract Code 10335-10381.

Procurement of Non-A&E Consultant Contracts

All non-A&E procurements contracts must be conducted in a manner providing full and open competition consistent with federal and state standards. LPA must meet the code of conduct governing the performance of its employees engaged in the award and administration of federal-aid and state-funded contracts, including the preventions of conflict of interest in PCC 10410.

The following are the fundamental rules when procuring a non-A&E consultant contract.

1. The request for proposal (RFP) must not limit the competition directly or indirectly to any one consultant. The RFP must be publicized, and all evaluation factors and their relative importance identified (PCC 10339).
2. Splitting a single transaction into a series of transactions for the purpose of evading the procurement requirements is not allowed (PCC 10329).
3. LPA must secure at least three competitive proposals for each contract. (PCC 10340) When receiving less than three proposals, refer to the [Cost-Effective/Public Interest Finding](#) in this section as an alternative to re-advertisement.
4. No proposals must be considered which have not been received at the place, and prior to the closing time as stated in the RFP (PCC 10344(a)).
5. LPA must have a written procedure for evaluating proposals (PCC 10344).

RFP Basic Requirements

There are two general types of consulting service contract solicitations:

- A. Request for Proposal using Cost only
- B. Request for Proposal using Cost and Qualifications

The LPA must include the following in the request for proposal:

- A. A clear, precise description of the work to be performed or services to be provided.
- B. Description of the format that proposals must follow and the elements they must contain.
- C. The standards the agency will use in evaluating proposals. This includes qualifications and certifications if applicable.
- D. The date the proposals are due.
- E. The procurement schedule that the LPA will follow in reviewing and evaluating the proposals.

(PCC 10344)

Additional Requirements and Evaluation Criteria

Additional Requirements for Request for Proposal using Cost only

- A. LPA must require consultants to submit their proposals and cost in a separate, sealed envelope.
- B. LPA must determine those that meet the format requirements and the standards specified in the request for proposal.
- C. The sealed envelopes containing the price and cost information for those proposals that meet the format requirements and standards must then be publicly opened and read.
- D. Contract must be awarded to the lowest responsible consultant meeting the standards.

(PCC 10344(b))

Additional Requirements for Request for Proposal using Cost and Qualifications

- A. LPA must include in the proposal the description of the evaluation and scoring method. Substantial weight in relationship to all other criteria utilized must be given to the cost amount proposed by the consultant.
- B. LPA must determine those that meet the format requirements specified in the RFP.
- C. LPA evaluation committee must evaluate and score the proposals using the methods specified in the RFP. All evaluation and scoring sheets must be available for public inspection after the committee scoring process. Evaluation committee should comply to the prevention of conflict of interest in PCC 10410.
- D. The non-A&E contract must be awarded to the consultant whose proposal is given the highest score by the evaluation committee.

(PCC 10344(c))

When using RFP (Cost and Qualifications), the criteria used to evaluate the consultant's proposals must have a logical foundation within the scope of work or within other technical requirements contained in the RFP. Each criterion must have a weight or level of importance, and it is recommended that total possible score for the evaluation criteria be one hundred (100) points. The proposed cost should be at least thirty percent (30%) of total points in evaluation criteria.

An example RFP for non-A&E is provided on the Local Assistance website at <https://dot.ca.gov/-/media/dot-media/programs/local-assistance/documents/ae/files/rfp-example-non-ae.docx> and may be modified.

Submission of Exhibit 10-C: A&E Consultant Contract Database to Caltrans HQ is not required for non-A&E consultant contracts.

Consultant's Proposal

The consultant's proposal should include the following information:

- Consultant Project Manager – qualifications, roles and responsibilities.

- Methodology - description of work and overall approach, specific techniques that will be used and specific administrative and operations expertise to be used.
- Workplan and Work Schedule - the technical proposal should include activities and tasks, and their delivery schedule.
- Personnel - List of personnel who will be working on the project, and their resumes.
- Facilities and resources (If applicable) - Explanation of where the services will be provided and what type of equipment is needed to perform services.
- Sub-contracts - Identify all sub-contracts that are to be used, description of each and the work by each sub-consultant/sub-contractor. No work must be subcontracted unless listed in the technical proposal. Sub-consultant resumes should be provided.
- References - The technical proposal should provide at least three (3) clients for whom the proposer has performed work of similar nature to the request.

Cost Proposal Worksheet

The RFP should provide a standard format for cost proposal that all proposers must include in their proposal. The cost proposal format can be broken down by specific tasks, showing hourly labor rates, level of effort and material, and/or by milestones and deliverables.

LPA is not required to award a contract if it is determined that the contract price is not reasonable (PCC 10340(c)).

DBE Consideration

DBE consideration is required on all federal-aid funded contracts including non-A&E.

Administrative Requirements

Advertisement for RFPs may be through the LPA website, local publications, and national publications. Minimum solicitation time is 14 calendar days. The solicitation should inform potential qualified consultants that questions must be submitted in writing to the Agency Contract Manager/Administrator by a specified date and time. All pertinent technical information and answers to consultant's questions must be provided to all potential consultants. Written responses to all questions will be collectively compiled and provided as an addendum.

A proposal may be considered nonresponsive and rejected without evaluation if all required information is not provided. Proposals without information regarding, or not meeting, the required DBE utilization goal or without a Good Faith Effort documentation (see [Exhibit 15-H: Proposer/Contractor Good Faith Efforts](#)), late submittals, submittals to the wrong location, or submittals with inadequate copies are considered nonresponsive and must be rejected. Submittal of additional information after the due date must not be allowed. Documentation of when each proposal was received must be maintained in the project files. Copies of date stamped envelope covers or box tops are recommended.

No consultant who has been awarded a consulting service contract may be awarded a subsequent contract for the services or goods which are required as an end product of the consulting service contract, unless the subcontract is no more than 10 percent of the total monetary value of the consulting services contract. Excludes A&E contracts.

(PCC 10365.5)

Contracts may be modified or amended only if the contracts so provide. Amendments must be requested and executed prior to the termination date of the most recently approved original or amended contract. All records of contract activities must be kept for three years after federal final voucher E-76 or state final voucher for State-Only funds. Costs are reimbursable after state allocation by the California Transportation Commission (CTC) and/or the issuance of the federal E-76. The per diem rate must not exceed the state rate. Contract Managers are responsible for monitoring expenditures on all contracts and verifying categories of work that require prevailing wage. A person in Responsible Charge of contract management is required for all federally funded projects.

Oral Presentations Optional

When oral presentations are required by the LPA, the evaluation criteria must include factors/sub-factors and weights used to score the proposers performance at the oral presentation. The evaluation committee will only be able to score each proposer based upon these criteria. The Contract Manager/Administrator should develop a set of questions related to the scope of work or the project to be asked during the evaluation committee question and answer (Q & A) section of the oral presentations. All proposers are asked the same questions for consistency.

The committee must also evaluate reference checks and other information gathered independently. Reference checks must be completed, and other information gathered before the interviews are conducted. If necessary, the results of the reference checks or other information may be discussed with the highest ranked qualified consultants at the interviews.

Cost-Effective / Public Interest Finding

A minimum of three proposal must be evaluated to establish effective competition. Any agency that has received less than three proposals on a contract must document the names and addresses of the firms or individuals it solicited for proposals. Prepare an explanation as to why less than three proposals were received. When only two proposals are received, a justification must be documented to proceed with the procurement. When only one proposal is received, a Non-Competitive process must be justified and a Public Interest Finding (PIF) ([Exhibit 12-F: Cost-Effective/Public Interest Finding/A&E Noncompetitive](#)) must be documented. In either case, the re-advertisement of the RFP should be considered as an option. Retain document as supporting documentation in the contract file.

(PCC 10340(c))

Protest / Appeals / Reinstatement Procedures

Both state and federal regulations require well-defined protest/reinstatement procedures. It is essential that the procedures include a reasonable opportunity for the prospective consultant to present his/her case. The appeals procedures strengthen the process by which the contracting agency reaches its ultimate goal and helps defends its action against a claim of lack of due process. A termination clause and a provision for settlement of contract disputes are required. Protest procedures and dispute resolution processes should be in accordance with PCC 10345.

10.4 A&E OVERSIGHT PROGRAM AND PROCESS REVIEW

General

The A&E Oversight Branch is responsible for the oversight of consultant contracts procured by LPAs complying with federal regulations 23 CFR 172 and 23 USC 112, and state regulations California Government Code 4525.

For locally administered federal-aid highway projects, A&E consultant contract oversight reviews will be performed by Caltrans' Local Assistance A&E Oversight Engineers (A&EOEs). DLAE staff should participate in the reviews.

Type of Reviews

The purpose of A&E consultant contract oversight reviews is to verify LPA compliance with federal and state consultant contract administration requirements. A risk-based approach has been identified by the A&E branch to aid LPAs with compliance that includes requiring agencies to complete and submit [Exhibit 10-C](#) prior to contract award, or after contract award but no later than the first invoice. The objective is to create a database documenting all consultant contracts and to perform process reviews on a sample of contracts for the annual performance measures report.

Although the risk-based approach is the submittal of Exhibit 10-C via the database, a process review may be conducted on projects for reporting purposes and to determine accuracy of Exhibit 10-C information.

Exhibit 10-C Review

The purpose of the Exhibit 10-C database is to provide oversight and guidance to an LPA regarding consultant contract administration on a federal or state funded project prior to the award of the contract. The database includes items considered critical for compliance with federal and state regulations.

Subsequent process reviews may be performed on selected state and/or federal projects requiring a greater degree of oversight if deemed necessary for agencies with a noncompliance history.

The following factors may be used when selecting projects for subsequent review:

- LPAs with identified deficiencies during an Incurred Cost Audit
- Projects administered by agencies with previous sanctions/findings
- Lack of experienced/trained LPA personnel
- Request by LPA or DLAE for additional assistance

During subsequent process reviews, the A&EOE will meet with the LPA's consultant contract administration team and discuss project record documentation requirements using the Exhibit 10-C database. The timing of these types of reviews is targeted for pre-advertisement, pre-negotiations, and pre-award of the consultant contract. This will allow for any changes to take place prior to execution or termination of negotiations for re-advertising. The A&EOE will also explain new policies or procedures, discuss available training, and highlight common problem areas and the means to avoid them.

Review Findings and Deficiencies

Caltrans will not be involved in most project level reviews and approval activities. Instead, the Process Review as outlined in this section is Caltrans' primary method of ensuring that federal and state requirements are met. During a Process Review of an LPA's project files, errors and/or deficiencies that may violate federal or state law or regulation could be found. If that happens, federal and/or state funds may be withdrawn from a project depending on the severity and circumstance of the deficiency, as well as the possibility of jeopardizing future federal and/or state funding opportunities for the agency's other projects.

It is important to note that the formal process review is not the only method of discovering project deficiencies. Errors or deficiencies are discovered occasionally as part of the normal routine of processing project submittals by DLAEs or DLA Area Engineers.

Review findings from any subsequent reviews will be forwarded to the LPA and the DLAE within five business days. Deficiencies identified during a review may require development of a corrective action plan by the LPA in consultation with the District within 30 calendar days of receipt of the deficiency notification, unless the agency disagrees with the deficiencies identified and appeals the decision as discussed below.

A list of common A&E consultant procurement-related deficiencies is found at the A&E [website](#). These examples, not all-inclusive, should assist LPAs with knowing common deficiencies found in the past and the possible ramifications for those errors and deficiencies. The key to avoiding possible sanctions is to follow the procedures outlined in this chapter and other appropriate policies and guidelines, and if you have any questions, to consult your DLAE.

Corrective action plans, if required, will identify actions the LPA will take to address each deficiency noted. Corrective actions may include the following: Re-advertising, modifications of LPA policies and procedures, and participation in training to address systemic related deficiencies. Project specific issues may require additional measures to remedy deficiencies to ensure compliance with federal and state requirements and ensure reimbursement eligibility. Corrective action plans must also include timelines for each action to be implemented. Failure to provide and implement corrective actions may result in sanctions or federal/state ineligibility notices against the project or LPA, and could prevent federal or state participation in all or a portion of the project.

In the event the LPA disagrees with the deficiencies identified, the LPA will have 30 calendar days from receipt of the deficiency notification to submit their written request for appeal in accordance with the DLA's [Local Agency Dispute Resolution Process](#). If the appeal is denied, the LPA will have 30 calendar days from receipt of the decision to submit their corrective action plan.

The Dispute Resolution Process provides a means for the LPA to appeal a sanction that they feel has been imposed upon them unfairly or they feel the penalty is too harsh for the error or deficiency. This appeal process is not limited to just the appeal of sanctions; it can be used by LPAs when they disagree with the decision, they receive from a district office.

10.5 SANCTIONS

Depending on the severity and circumstances of the deficiencies which may require sanctioning by Caltrans, the DLA or DLAE may impose one of the following sanctions:

- Freeze on all future programming of federal or state funds until corrective action is implemented
- Freeze progress payments for a federal-aid project until the project's deficiency is corrected
- Percentage of federal or state funds for a project withdrawn
- All federal or state funds withdrawn from a project

The DLAE will be responsible for notifying the LPA of sanctions imposed. Whether or not sanctions are imposed against an LPA, the LPA will be expected to develop a corrective action plan and implement it to correct the deficiencies. LPAs will be given adequate time to develop and implement their action plan. Failure to correct the deficiencies in a timely manner will be grounds for imposing additional sanctions



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: CITY ATTORNEY

Prepared by: Lisa Goldfien,
Assistant City Attorney

City Manager Approval: _____

TOPIC: 2021-2022 CITY COUNCIL REDISTRICTING PROCESS

SUBJECT: SECOND PUBLIC HEARING ON EXISTING COUNCIL DISTRICT LINES AND POSSIBLE CHANGES

RECOMMENDATION:

Hold a public hearing to receive public comment concerning how the four City Council electoral districts should be adjusted and then provide any direction to the demographic consultant regarding the preparation of maps for consideration at future meetings.

BACKGROUND:

On [April 16, 2018](#), the City Council adopted [Ordinance No. 1956](#), approving the move from at-large voting to “by-district” voting for council elections, in which each member of the Council must reside in a district and is elected only by the voters within that district, and approving the district map designated as “[Canal 3B](#).” The City’s first general municipal election using the new City Council districts was held on November 3, 2020, for the City Council seats in Districts 1/South and 4/North. The first elections in Districts 2/West and 3/East will be held on November 8, 2022.

Even though the City created its four electoral districts only three years ago, Elections Code § 21621 requires that the redistricting process occur again following each federal decennial census to rebalance the districts’ populations in light of the most recent data available. The most recent decennial census was conducted in 2020, and the Bureau released its “PL94-171” redistricting data on August 12, 2021. However, under changes to California law adopted in 2019, known as the FAIR MAPS Act, the City is required to use data from the California Statewide Database at UC Berkeley (“SWDB”), which “adjust the Census Bureau’s data to account for legislatively-required reallocation of incarcerated felons within the State. (See Elec. Code § 21621(a)(2).) Those adjusted data were released on September 21, 2021, and a corrected version of the data was released on September 27, 2021.

At its meeting on July 19, 2021, the Council received a presentation regarding the redistricting process from the City’s special counsel, Chris Skinnell of Nielsen Merksamer Parrinello Gross & Leoni, after which

FOR CITY CLERK ONLY

File No.: _____

Council Meeting: _____

Disposition: _____

the Council approved the timeline for the redistricting process. At its September 13 meeting, the Council received a further presentation from Mr. Skinnell summarizing the legal rules governing the readjustment of district lines and the preliminary demographics of the existing districts based on the PL94-171 data. At its meeting on November 15, 2021, the Council received updated information regarding the final “adjusted” demographics of the existing districts based on the SWDB data, after which the Council conducted a duly-noticed public hearing to receive public testimony regarding the composition of the districts, especially communities of interest.

Pursuant to the FAIR MAPS Act, the Council is required to conduct four public hearings, the first two of which will focus on receiving feedback from the Council and the public regarding the current lines, and desired changes, and the City’s communities of interest. This is the second of those pre-mapping public hearings. The third and fourth hearings will focus on actual draft maps to readjust the Council districts.

The statutory deadline for completion of the redistricting process is April 17, 2022.

ANALYSIS:

At the meeting, the City’s demographic consultant, Ms. Kristen Parks of National Demographics Corporation, will again present information regarding the demographics of the current districts and the Council will again be asked to conduct a public hearing to receive feedback from the public regarding possible changes.

The following is a summary of the main substantive legal requirements for the redistricting process:

- 1) The districts must be “substantially equal in population as defined by the Supreme Court.
- 2) The districts must comply with the federal Voting Rights Act of 1965 (52 U.S.C. Sec. 10301 et seq.).
- 3) The districts must comply with constitutional restrictions on “racial gerrymandering.”
- 4) Subject to the constitutional and federal law requirements noted in paragraphs (1) – (3), voting districts must be established according to four statutory criteria, ranked in order of priority:
 - To the extent practicable, council districts shall be geographically contiguous. Areas that meet only at the points of adjoining corners are not contiguous. Areas that are separated by water and not connected by a bridge, tunnel, or regular ferry service are not contiguous.
 - To the extent practicable, the geographic integrity of any local neighborhood or local community of interest shall be respected in a manner that minimizes its division. A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation. Communities of interest do not include relationships with political parties, incumbents, or political candidates.
 - Council district boundaries should be easily identifiable and understandable by residents. To the extent practicable, council districts shall be bounded by natural and artificial barriers, by streets, or by the boundaries of the city.

- To the extent practicable, and where it does not conflict with the preceding criteria in this subdivision, council districts shall be drawn to encourage geographical compactness in a manner such that nearby areas of population are not bypassed in favor of more distant populations.

The adjusted SWDB data indicate that the current districts' "total deviation" is approximately 8.53%—within the 10% maximum allowable deviation prescribed by the Supreme Court. This deviation is driven primarily by Districts 3 and 4. District 3 is approximately 4.00% underpopulated, and District 4 is approximately 4.53% overpopulated. Districts 1 and 2 are closer to balance. District 1 is approximately 3.13% underpopulated, and District 2 is approximately 2.60% overpopulated.

COMMUNITY OUTREACH:

As staff advised the Council at the September and November meetings, the City has established a City redistricting website with all pertinent documents in both English and Spanish. It can be found at <https://redistrictsanrafael.org/>. By visiting that website, members of the public can now also submit proposed district maps for the Council's consideration, using either a paper mapping kit or online mapping tools.

FISCAL IMPACT:

There is no fiscal impact from the recommended City Council action. Completion of the redistricting process will incur expenses of approximately \$50,000 in consulting attorney's fees and \$60,000 in consulting demographer's fees (including the online mapping tool), in addition to regular staff time. Sufficient funds have been included in the budget to cover these expenses.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Accept the information report on the current lines and conduct the second public hearing, then provide any guidance to the demographers re possible changes to the existing lines and preparation of maps for consideration at future hearings.
2. Take no action.

RECOMMENDED ACTION:

Move to accept the informational report regarding the City Council redistricting process, conduct the public hearing, and provide guidance to the demographer.

ATTACHMENTS:

1. PowerPoint Presentation

City of San Rafael



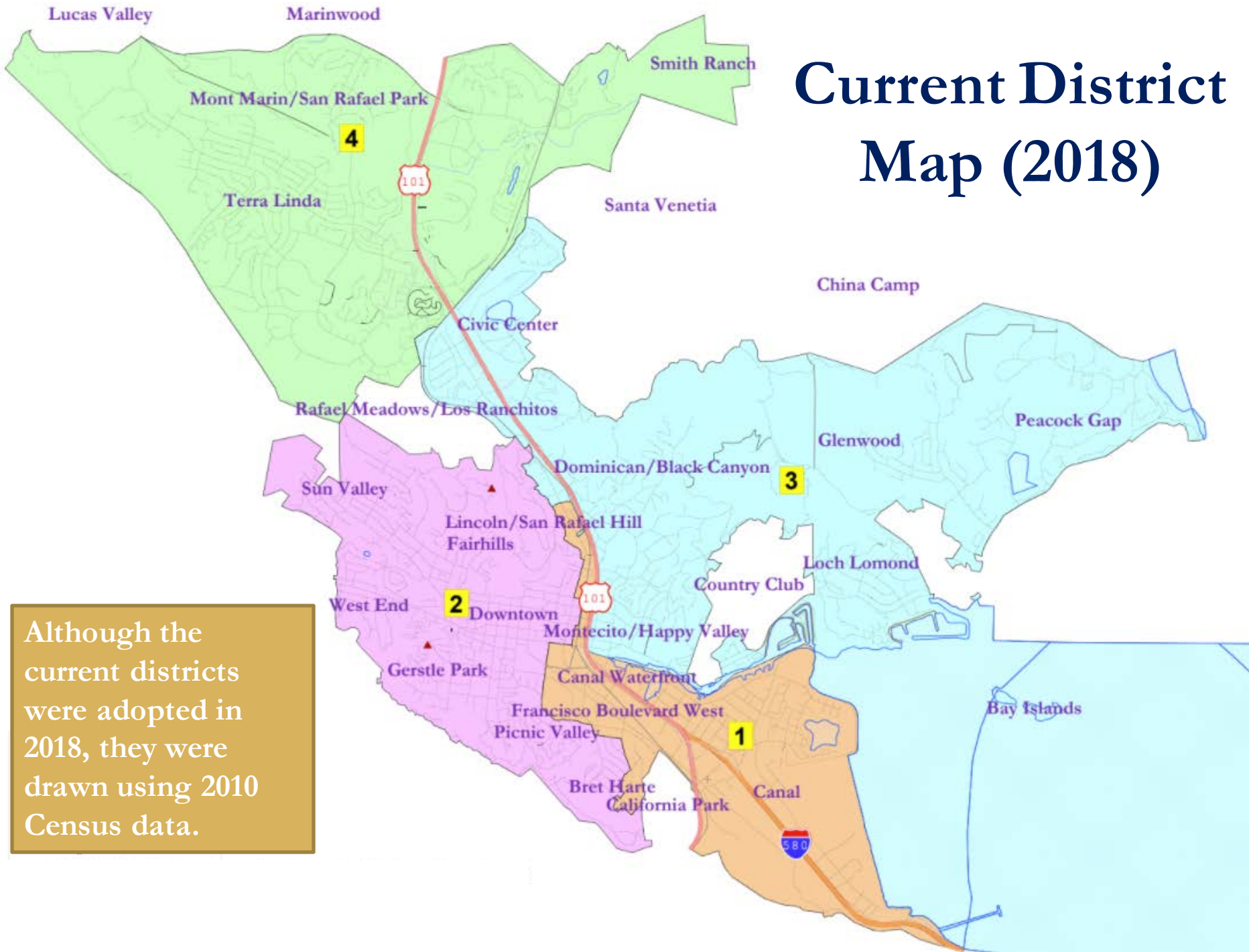
Redistricting Public Hearing #2

Kristen Parks, Consultant

San Rafael's Transition to Districts

Date	Event	
November 10, 2017	City received letter alleging violation of the California Voting Rights Act (CVRA)	} Districting
January 16, 2018	Council passed resolution to change to district elections	
April 16, 2018	Council adopted district map	
November 3, 2020	Elections for Districts 1 & 4	
2021 - 2022	Districts must be redrawn to reflect 2020 Census data	← Redistricting

Current District Map (2018)



Although the current districts were adopted in 2018, they were drawn using 2010 Census data.

New Procedural Requirements

Per the California FAIR MAPS Act (2019), the City must:

- Conduct at least **4 public hearings** prior to adoption of new map
- Provide live **Spanish* interpretation** if requested 72 hours in advance of meeting
- Encourage public participation by conducting **outreach to media and community groups**, including those in underrepresented and non-English speaking communities
- Establish and maintain a **redistricting website** for at least 10 years

* Spanish is the only “applicable language” designated for San Rafael

Redistricting Timeline

Date	Event
<input checked="" type="checkbox"/> August 12, 2021	Release of 2020 Census data
<input checked="" type="checkbox"/> September 27, 2021	Release of California's official redistricting data
<input checked="" type="checkbox"/> November 15, 2021	Public Hearing #1
January 18, 2022	Public Hearing #2
February 21, 2022	Public Hearing #3
March 21, 2022	Public Hearing #4
April 17, 2022	Legal deadline for Council to adopt redistricting plan
November 8, 2022	First election with new map

Legal Criteria for Redistricting

Federal Law

- ✓ Ensure equal population*
- ✓ Comply with federal Voting Rights Act
- ✓ Avoid racial gerrymandering

* Total population deviation < 10%

California Law

1. Ensure geographic **contiguity**
 2. Minimize division of neighborhoods & **“communities of interest”**
 3. Create easily identifiable boundaries
 4. Maintain **compactness**
- ✓ Do not “favor or discriminate against a political party”

Traditional Criteria

May include:

- Minimize changes to election cycles
- Respect voters’ choices
- Preserve core of existing districts

Do not bypass a nearby population to take in a more distant population

District		1	2	3	4	Total
2020 Total Population		14,853	15,732	14,720	16,028	61,333
Deviation from ideal□		-480	399	-613	695	1,308
□ Deviation		-3.13□	2.60□	-4.00□	4.53□	8.53□
Total Population	□ Hisp	79.8□	21□	21□	18□	34□
	□ NH White	12□	65□	64□	64□	52□
	□ NH Black	1□	2□	2□	2□	2□
	□ Asian-American	5□	7□	9□	12□	8□
Citizen □oting Age Pop	Total	10,656	12,994	12,096	13,023	48,769
	□ Hisp	76□	19□	19□	15□	30□
	□ NH White	15□	68□	66□	67□	56□
	□ NH Black	2□	2□	2□	2□	2□
	□ Asian/Pac.Isl.	6□	7□	9□	11□	8□
Language spoken at home	english		82□	76□	72□	64□
	spanish	67□	12□	11□	11□	25□
	asian-lang	4□	2□	5□	5□	4□
	other lang	3□	4□	8□	12□	7□
Language Fluency	Speaks Eng. "Less than □ery Well"	48□	7□	9□	12□	19□
Child in Household	child-under18	51□	22□	23□	27□	29□
Household Income	income 0-25k	20□	12□	14□	11□	13□
	income 25-50k	24□	17□	14□	11□	16□
	income 50-75k	21□	12□	8□	15□	13□
	income 75-200k	25□	38□	36□	40□	36□
	income 200k-plus	10□	22□	28□	23□	22□
Housing Stats	single family	30□	53□	74□	60□	56□
	multi-family	70□	47□	26□	40□	44□
	rented	77□	58□	36□	37□	50□
	owned	23□	42□	64□	63□	50□

San Rafael Demographic Summary

□ Ideal District Size:
Each of the 4 districts must contain about **15,333** people

Calculating Population Deviation

Ideal district size = 15,333

- Calculated by dividing the total population by the number of districts
- $61,333/4 = 15,333.25$

Total deviation = 1,308

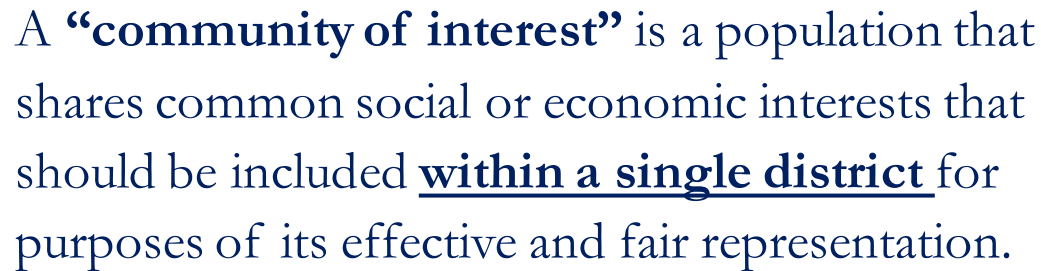
- Calculated by subtracting the smallest district's population from the largest district's population
- $D4 (16,028) - D3 (14,720) = 1,308$

Total deviation % = 8.53%

- Calculated by subtracting the smallest district's deviation from the largest district's deviation
- $D4(4.53) - D3(-4.00) = 8.53\%$

Defining “Communities of Interest”

Under California Elections Code, “community of interest” has a specific definition in the context of redistricting:

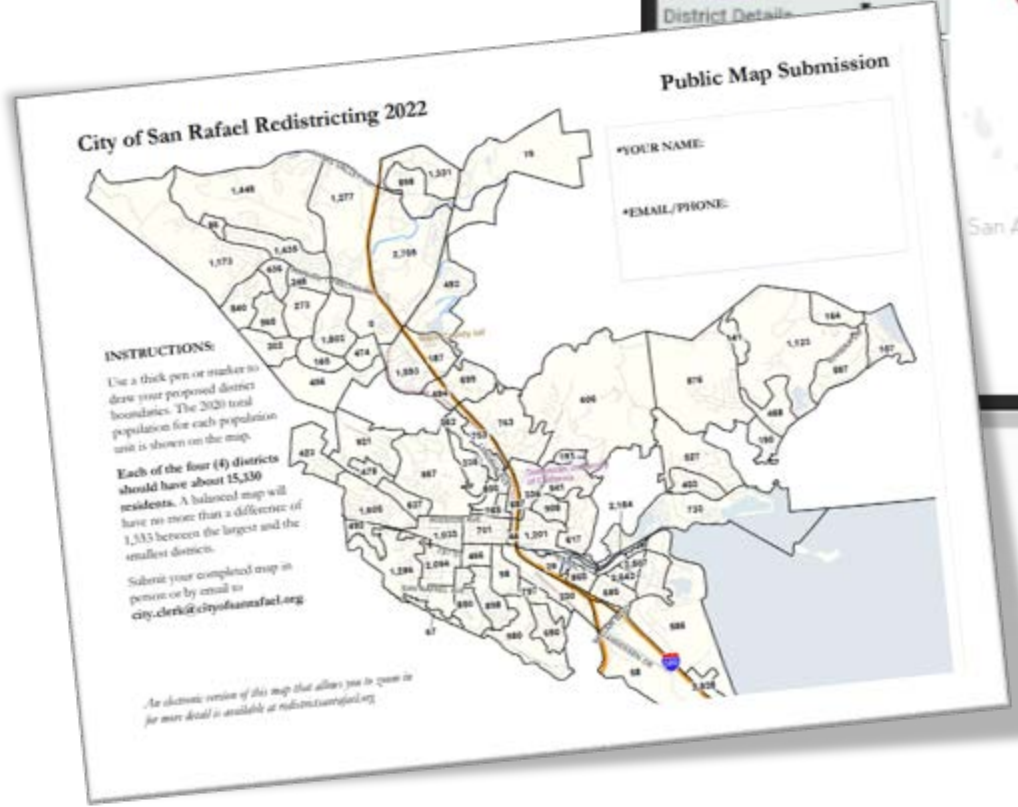
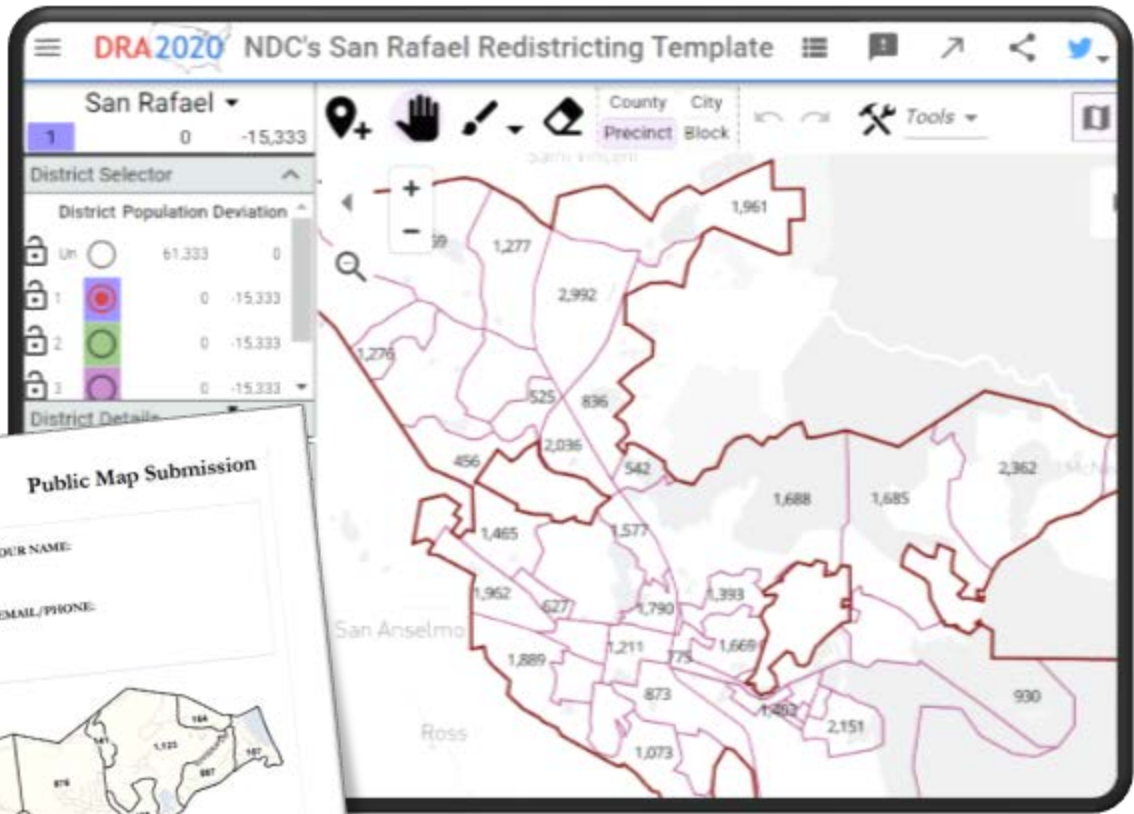


A “community of interest” is a population that shares common social or economic interests that should be included within a single district for purposes of its effective and fair representation.

Definitions of “communities of interest” do **not** include relationships with political parties, incumbents, or political candidates.

Public Mapping Tools

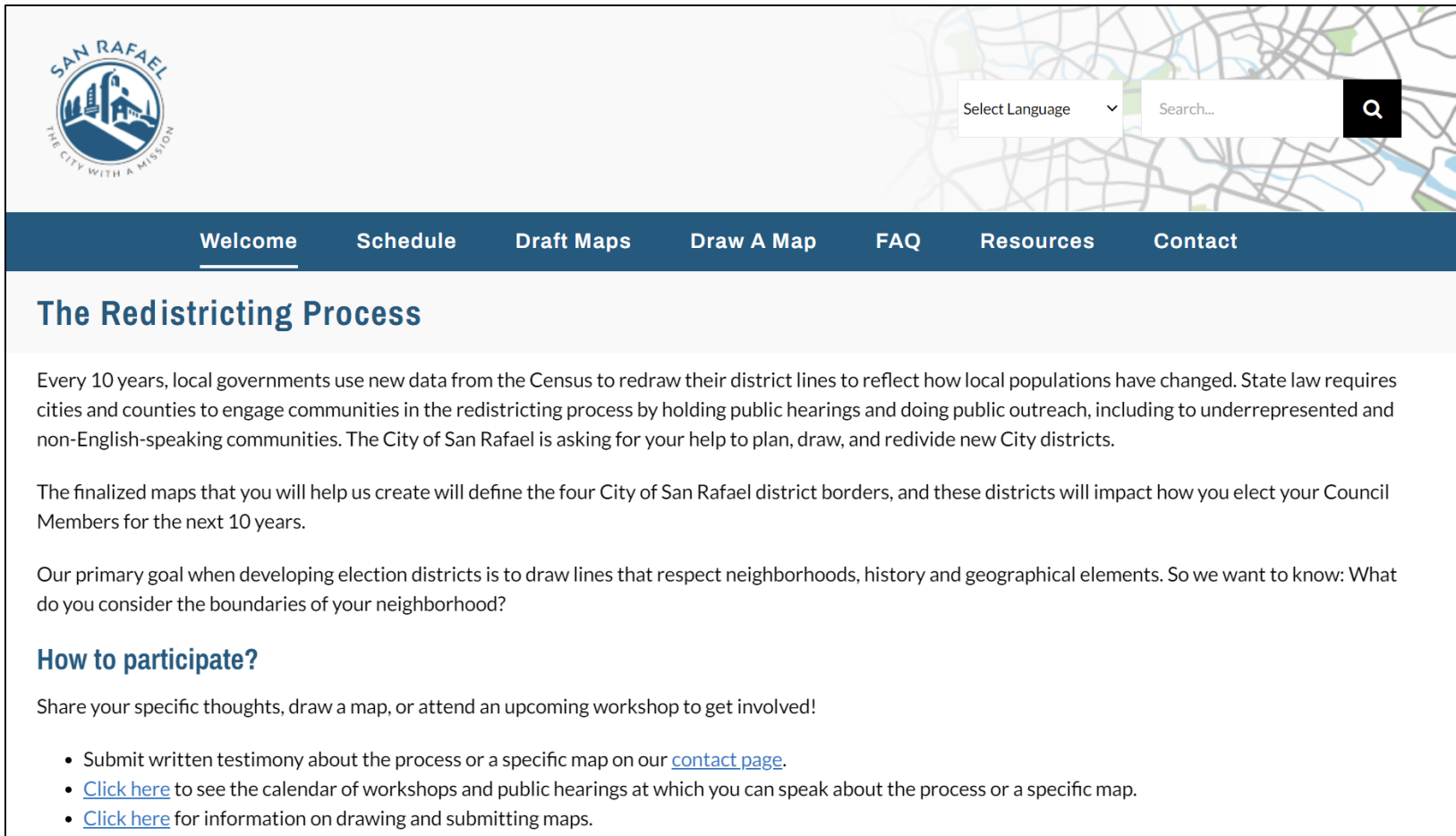
San Rafael's mapping tools empower residents to draw their communities of interest, home district, or an entire citywide district plan



Public Testimony

- What are the geographic boundaries of your neighborhood or “community of interest”?
- Should your neighborhood or “community of interest” be kept together **in one district**? Why or why not?
- What other areas in the City should be considered when drafting district maps?

Share Your Thoughts



The screenshot shows the top of the City of San Rafael website. On the left is the city logo with the text 'SAN RAFAEL THE CITY WITH A MISSION'. On the right is a search bar with a 'Select Language' dropdown and a search icon. Below the logo and search bar is a dark blue navigation bar with white text links: 'Welcome', 'Schedule', 'Draft Maps', 'Draw A Map', 'FAQ', 'Resources', and 'Contact'. The main content area has a light blue header for 'The Redistricting Process'. The text below explains that every 10 years, local governments use new data from the Census to redraw district lines. It states that the City of San Rafael is asking for help to plan, draw, and redivide new City districts. It mentions that finalized maps will define the four City of San Rafael district borders and impact how you elect your Council Members for the next 10 years. It also states that the primary goal is to draw lines that respect neighborhoods, history and geographical elements, and asks what you consider the boundaries of your neighborhood. A section titled 'How to participate?' follows, with the instruction to share specific thoughts, draw a map, or attend an upcoming workshop. A list of three bullet points provides further instructions: submit written testimony, click here for a calendar of workshops and public hearings, and click here for information on drawing and submitting maps.

The Redistricting Process

Every 10 years, local governments use new data from the Census to redraw their district lines to reflect how local populations have changed. State law requires cities and counties to engage communities in the redistricting process by holding public hearings and doing public outreach, including to underrepresented and non-English-speaking communities. The City of San Rafael is asking for your help to plan, draw, and redivide new City districts.

The finalized maps that you will help us create will define the four City of San Rafael district borders, and these districts will impact how you elect your Council Members for the next 10 years.

Our primary goal when developing election districts is to draw lines that respect neighborhoods, history and geographical elements. So we want to know: What do you consider the boundaries of your neighborhood?

How to participate?

Share your specific thoughts, draw a map, or attend an upcoming workshop to get involved!

- Submit written testimony about the process or a specific map on our [contact page](#).
- [Click here](#) to see the calendar of workshops and public hearings at which you can speak about the process or a specific map.
- [Click here](#) for information on drawing and submitting maps.

Website: redistrictsanrafael.org



SAN RAFAEL
THE CITY WITH A MISSION

Punto del orden del día no: 6.a

Fecha de la reunión:
18 de enero de 2022

INFORME DEL ORDEN DEL DÍA DEL CONSEJO DE LA CIUDAD DE SAN RAFAEL

Departamento: ABOGADO DE LA CIUDAD

Preparado por: Lisa Goldfien,
Asistente del Abogado de la Ciudad

Aprobación del Gerente de la Ciudad:

**TEMA: PROCESO DE REORDENACIÓN DE DISTRITOS DEL CONSEJO DE LA CIUDAD
2021-2022**

**ASUNTO: SEGUNDA AUDIENCIA PÚBLICA SOBRE LOS LÍMITES DE LOS DISTRITOS
EXISTENTES DEL CONSEJO Y POSIBLES CAMBIOS**

RECOMMENDACIÓN:

Celebrar una audiencia pública para recibir comentarios del público sobre cómo deberían ajustarse los cuatro distritos electorales del Consejo de la Ciudad, y luego dar instrucciones al consultor demográfico sobre la preparación de mapas para su consideración en futuras reuniones.

ANTECEDENTES:

El [16 de abril de 2018](#), el Consejo de la Ciudad adoptó la [Ordenanza No. 1956](#), así aprobando el cambio de la votación por acumulación general a la votación "por distrito" para las elecciones del Consejo de la Ciudad, en las que cada miembro del Consejo debe residir en un distrito y es elegido sólo por los votantes dentro de ese distrito, y aprobando el mapa del distrito designado como "[Canal 3B](#)". La primera elección municipal general de la Ciudad utilizando los nuevos distritos del Consejo de la Ciudad se llevó a cabo el 3 de noviembre de 2020, para las plazas del Consejo de la Ciudad en los Distritos 1/Sur y 4/Norte. Las primeras elecciones en los Distritos 2/Oeste y 3/Este se llevarán a cabo el 8 de noviembre de 2022.

Si bien la Ciudad creó sus cuatro distritos electorales hace sólo tres años, la sección 21621 del Código Electoral exige que el proceso de reordenación de distritos se realice de nuevo después de cada censo federal decenal para reequilibrar las poblaciones de los distritos a la luz de los datos más recientes disponibles. El censo decenal más reciente se realizó en 2020, y la Oficina publicó sus datos de reordenación de distritos "PL94-171" el 12 de agosto de 2021. Sin embargo, en virtud de los cambios en la ley de California adoptados en 2019, conocidos como la Ley FAIR MAPS, la Ciudad está obligada a utilizar los datos de la Base de Datos del Estado de California en UC Berkeley ("SWDB"), que "ajustan los datos de la Oficina del Censo para tener en cuenta la reasignación de los delincuentes encarcelados dentro del Estado requerida por la legislación." (Véase el Cód. Elec. sección

SOLO PARA EL SECRETARIO DE LA CIUDAD

Expediente No: _____

Reunión del Consejo: _____

Disposición: _____

INFORME DEL ORDEN DEL DÍA DEL CONSEJO DE LA CIUDAD DE SAN RAFAEL 2

21621(a)(2).) Esos datos ajustados se publicaron el 21 de septiembre de 2021, y una versión corregida de los datos fue publicada el 27 de septiembre de 2021.

En su reunión del 19 de julio de 2021, el Consejo recibió una presentación sobre el proceso de reordenación de distritos por parte del abogado especial de la Ciudad, Chris Skinnell de la firma Nielsen Merksamer Parrinello Gross & Leoni, después de lo cual el Consejo aprobó el calendario del proceso de reordenación de distritos. En su reunión del 13 de septiembre, el Consejo recibió otra presentación del Sr. Skinnell en la que se resumían las normas legales que rigen el reajuste de los límites de los distritos y la demografía preliminar de los distritos existentes basada en los datos del PL94-171. En su reunión del 15 de noviembre de 2021, el Consejo recibió información actualizada sobre la demografía final "ajustada" de los distritos existentes basada en los datos de SWDB, después de lo cual el Consejo realizó una audiencia pública debidamente notificada para recibir testimonios del público sobre la composición de los distritos, especialmente de las comunidades de interés.

De acuerdo con la Ley FAIR MAPS, el Consejo de la Ciudad está obligado a realizar cuatro audiencias públicas, de las cuales las dos primeras se centrarán en recibir los comentarios del Consejo y del público sobre los límites actuales y los cambios deseados, y las comunidades de interés de la Ciudad. Esta es la segunda de las audiencias públicas previas a la elaboración de mapas. La tercera y cuarta audiencias se centrarán en los mapas reales provisionales para reajustar los distritos del Consejo.

La fecha límite legal para completar el proceso de reordenación de distritos es el 17 de abril de 2022.

ANÁLISIS:

En la reunión, la consultora demográfica de la Ciudad, la Sra. Kristen Parks de National Demographics Corporation, volverá a presentar información sobre la demografía de los distritos existentes y se volverá a pedir al Consejo que realice una audiencia pública para recibir los comentarios del público sobre los posibles cambios.

A continuación se resumen los principales requisitos legales sustanciales para el proceso de reordenación de distritos:

- 1) Los distritos deben ser "sustancialmente iguales" en población según la definición de la Suprema Corte.
- 2) Los distritos deben cumplir con la Ley Federal de Derecho al Voto de 1965 (52 U.S.C. Sec. 10301 y siguientes).
- 3) Los distritos deben cumplir con las restricciones constitucionales sobre la "manipulación racial".
- 4) Sujeto a los requisitos constitucionales y de la ley federal señalados en los párrafos (1) al (3), los distritos electorales deben ser establecidos de acuerdo con cuatro criterios estatutarios, clasificados por orden de prioridad:
 - En la medida de lo posible, los distritos del consejo deberán ser geográficamente colindantes. Las áreas que se encuentran sólo en los puntos de las esquinas adyacentes no son colindantes. Las áreas que están separadas por el agua y no están conectadas por un puente, un túnel o un servicio regular de ferry no son colindantes.

INFORME DEL ORDEN DEL DÍA DEL CONSEJO DE LA CIUDAD DE SAN RAFAEL 3

- En la medida de lo posible, se respetará la integridad geográfica de todo vecindario o comunidad de interés local de manera que se minimice su división. Una "comunidad de interés" es una población que comparte intereses sociales o económicos comunes que se deben incluir dentro de un mismo distrito para lograr su representación efectiva y justa. Las comunidades de interés no incluyen relaciones con partidos políticos, miembros titulares o candidatos políticos.
- Las colindancias de los distritos del consejo deben ser fácilmente identificables y comprensibles por parte de los residentes. En la medida de lo posible, los distritos del consejo deben estar delimitados por barreras naturales y artificiales, por calles o por los límites de la ciudad.
- En la medida de lo posible, y siempre que no entre en conflicto con los criterios anteriores de esta subdivisión, los distritos del consejo deben establecerse para fomentar la creación de áreas geográficamente compactas de manera que las áreas de población cercanas no sean pasadas por alto en favor de poblaciones más distantes.

Los datos ajustados de la SWDB indican que la "desviación total" de los distritos actuales es de aproximadamente un 8.53%—dentro del 10% de desviación máxima permitida por la Suprema Corte. Esta desviación se debe principalmente a los Distritos 3 y 4. El Distrito 3 está infrapoblado en aproximadamente un 4.00%, y el Distrito 4 está superpoblado en aproximadamente un 4.53%. Los distritos 1 y 2 están más cerca del equilibrio. El Distrito 1 está infrapoblado en aproximadamente un 3.13%, y el Distrito 2 está superpoblado en aproximadamente un 2.60%.

ALCANCEA LA COMUNIDAD:

Como el personal informó al Consejo en las reuniones de septiembre y noviembre, la Ciudad ha establecido un sitio web de reordenación de distritos de la Ciudad con todos los documentos pertinentes tanto en inglés como en español. Se puede encontrar en <https://redistrictsanrafael.org/>. Al visitar ese sitio web, los miembros del público ahora también pueden presentar propuestas de mapas de distrito para la consideración del Consejo, utilizando un kit cartográfico en papel o herramientas en línea.

IMPACTO FISCAL:

La acción que se recomienda al Consejo de la Ciudad no tiene impacto fiscal. La terminación del proceso de reordenación de distritos incurrirá gastos de aproximadamente \$50,000 en honorarios de abogados consultores y \$60,000 en honorarios de demógrafos consultores (incluyendo la herramienta cartográfica en línea), además del tiempo regular del personal. Se han incluido fondos suficientes en el presupuesto para cubrir estos gastos.

OPCIONES:

El Consejo de la Ciudad tiene las siguientes opciones para considerar este asunto:

1. Aceptar el documento informativo sobre los límites actuales y realizar la segunda audiencia pública, y luego proporcionar orientación a los demógrafos sobre posibles cambios en los límites existentes y la preparación de mapas para su consideración en futuras audiencias.
2. No tomar ninguna medida.

ACCIÓN RECOMENDADA:

INFORME DEL ORDEN DEL DÍA DEL CONSEJO DE LA CIUDAD DE SAN RAFAEL 4

Aceptar el documento informativo en relación al proceso de reordenación de distritos del Consejo de la Ciudad, realizar la audiencia pública y dar orientación al demógrafo.

ADJUNTOS:

1. Presentación en PowerPoint

Ciudad de San Rafael



Audiencia pública sobre la reordenación de distritos #2

Kristen Parks, Consultora

Transición de San Rafael a los distritos

Fecha	Evento
10 de noviembre de 2017	La Ciudad recibió una carta alegando la violación de la Ley de Derecho al Voto de California (CVRA)
16 de enero de 2018	El Consejo aprobó una resolución para cambiar a elecciones de distrito
16 de abril de 2018	El Consejo aprobó el mapa de distritos
3 de noviembre de 2020	Elecciones para los Distritos 1 y 4
2021 - 2022	Los distritos deben ser trazados nuevamente para reflejar los datos del censo de 2020

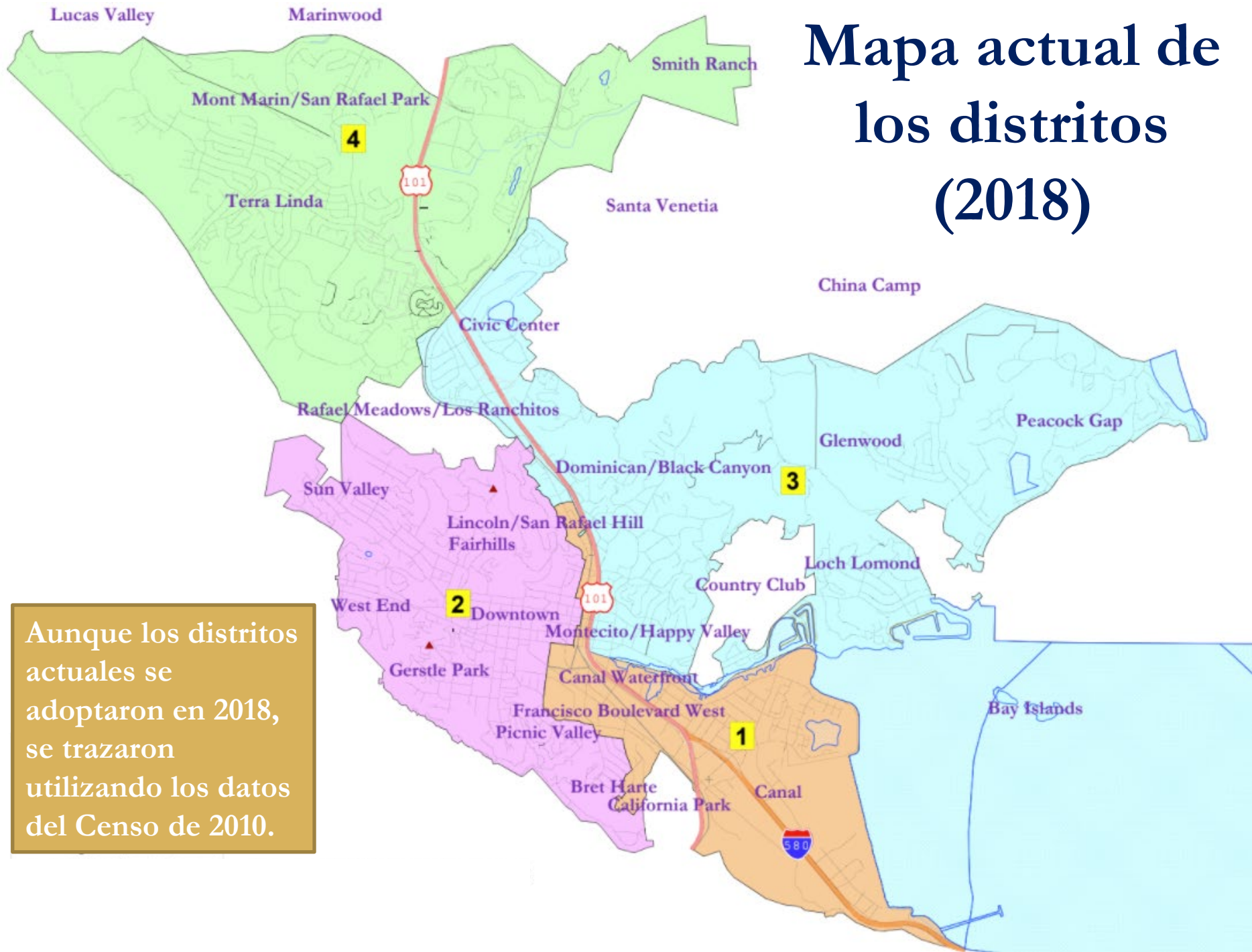
Ordenación



Reordenación



Mapa actual de los distritos (2018)



Aunque los distritos actuales se adoptaron en 2018, se trazaron utilizando los datos del Censo de 2010.

Nuevos requisitos de procedimiento

Según la Ley FAIR MAPS de California (2019), la Ciudad debe::

- Realizar al menos **4 audiencias públicas** antes de adoptar el nuevo mapa
- Ofrecer **interpretación en vivo en español*** si se solicita 72 horas antes de la reunión
- Alentar al público a participar mediante la realización de actividades de **difusión a los medios de comunicación y grupos comunitarios**, incluidos los de las comunidades subrepresentadas y que no hablan inglés
- Establecer y mantener un **sitio web de reordenación de distritos** durante al menos 10 años

* El español es el único "idioma aplicable" designado para San Rafael

Calendario de reordenación de distritos

Fecha	Evento
<input checked="" type="checkbox"/> 12 de agosto de 2021	Publicación de los datos del censo de 2020
<input checked="" type="checkbox"/> 27 de septiembre de 2021	Publicación de los datos oficiales de reordenación de distritos de California
<input checked="" type="checkbox"/> 15 de noviembre de 2021	Audiencia pública #1
18 de enero de 2022	Audiencia pública #2
21 de febrero de 2022	Audiencia pública #3
21 de marzo de 2022	Audiencia pública #4
17 de abril de 2022	Plazo legal para que el Consejo adopte el plan de reordenación de distritos
8 de noviembre de 2022	Primera elección con el nuevo mapa

Criterios legales para la reordenación

Ley federal

- ✓ Garantizar poblaciones iguales*
- ✓ Cumplir con la Ley Federal de Derecho al Voto
- ✓ Evitar la manipulación racial

* Desviación de la población total < 10%

Ley de California

1. Garantizar la contigüidad geográfica
2. Minimizar la división de barrios y "comunidades de interés"
3. Crear límites fácilmente identificables
4. Mantener distritos compactos
5. No "favorecer o discriminar a un partido político"

Criterios tradicionales

Puede incluir:

- Minimizar los cambios en los ciclos electorales
- Respetar las opciones de los votantes
- Conservar el núcleo de los distritos existentes

No pasar por alto una población cercana para absorber a una población más lejana

Distrito		1	2	3	4	Total
Población total 2020		14,853	15,732	14,720	16,028	61,333
Desviación del ideal*		-480	399	-613	695	1,308
% de desviación		-3.13%	2.60%	-4.00%	4.53%	8.53%
Población total	% Hisp	79.8%	21%	21%	18%	34%
	% Blanco NH	12%	65%	64%	64%	52%
	% Negro NH	1%	2%	2%	2%	2%
	% Asiático-Americano	5%	7%	9%	12%	8%
Población en edad de votar	Total	10,656	12,994	12,096	13,023	48,769
	% Hisp	76%	19%	19%	15%	30%
	% Blanco NH	15%	68%	66%	67%	56%
	% Negro NH	2%	2%	2%	2%	2%
	% Asiático/IsL. Pac.	6%	7%	9%	11%	8%
Lengua hablada en el hogar	inglés		82%	76%	72%	64%
	español	67%	12%	11%	11%	25%
	idioma asiático	4%	2%	5%	5%	4%
	otro idioma	3%	4%	8%	12%	7%
Fluidez del idioma	Habla inglés "Menos que muy bien"	48%	7%	9%	12%	19%
Niños en la familia	menor de 18 años	51%	22%	23%	27%	29%
Ingresos de la familia	ingresos 0-25k	20%	12%	14%	11%	13%
	ingresos 25-50k	24%	17%	14%	11%	16%
	ingresos 50-75k	21%	12%	8%	15%	13%
	ingresos 75-200k	25%	38%	36%	40%	36%
	ingresos más de 200k	10%	22%	28%	23%	22%
Estadísticas de vivienda	unifamiliar	30%	53%	74%	60%	56%
	multifamiliar	70%	47%	26%	40%	44%
	de renta	77%	58%	36%	37%	50%
	propia	23%	42%	64%	63%	50%

Resumen demográfico de San Rafael

***Tamaño ideal del distrito:**
Cada uno de los 4 distritos debe contener alrededor de 15,333 personas

Cálculo de la desviación de la población

Tamaño ideal del distrito = 15,333

- Se calcula dividiendo la población total entre el número de distritos
- $61,333/4 = 15,333.25$

Desviación total = 1,308

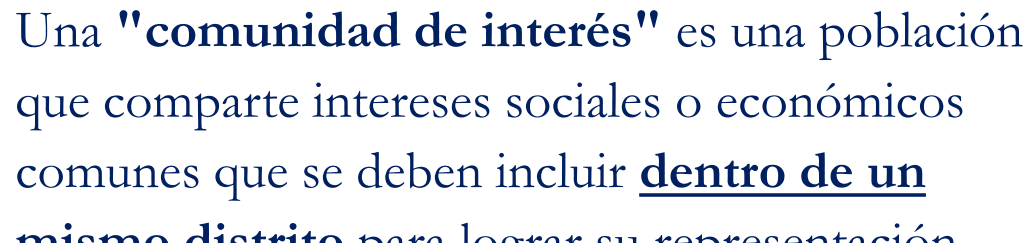
- Se calcula restando la población del distrito más pequeño de la población del distrito más grande
- $D4 (16,028) - D3 (14,720) = 1,308$

% de desviación total = 8.53%

- Se calcula restando la desviación del distrito más pequeño de la desviación del distrito más grande
- $D4(4.53) - D3(-4.00) = 8.53\%$

Definición de "comunidades de interés"

Según el Código Electoral de California, la "comunidad de interés" tiene una definición específica en el contexto de la reordenación de distritos:

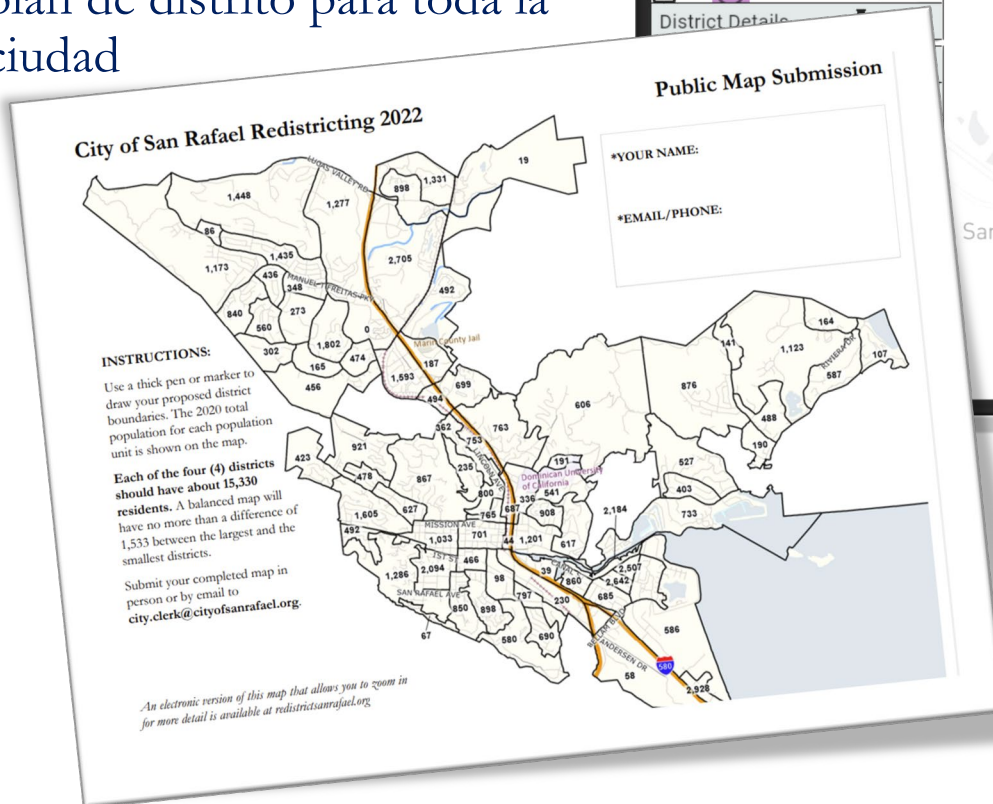
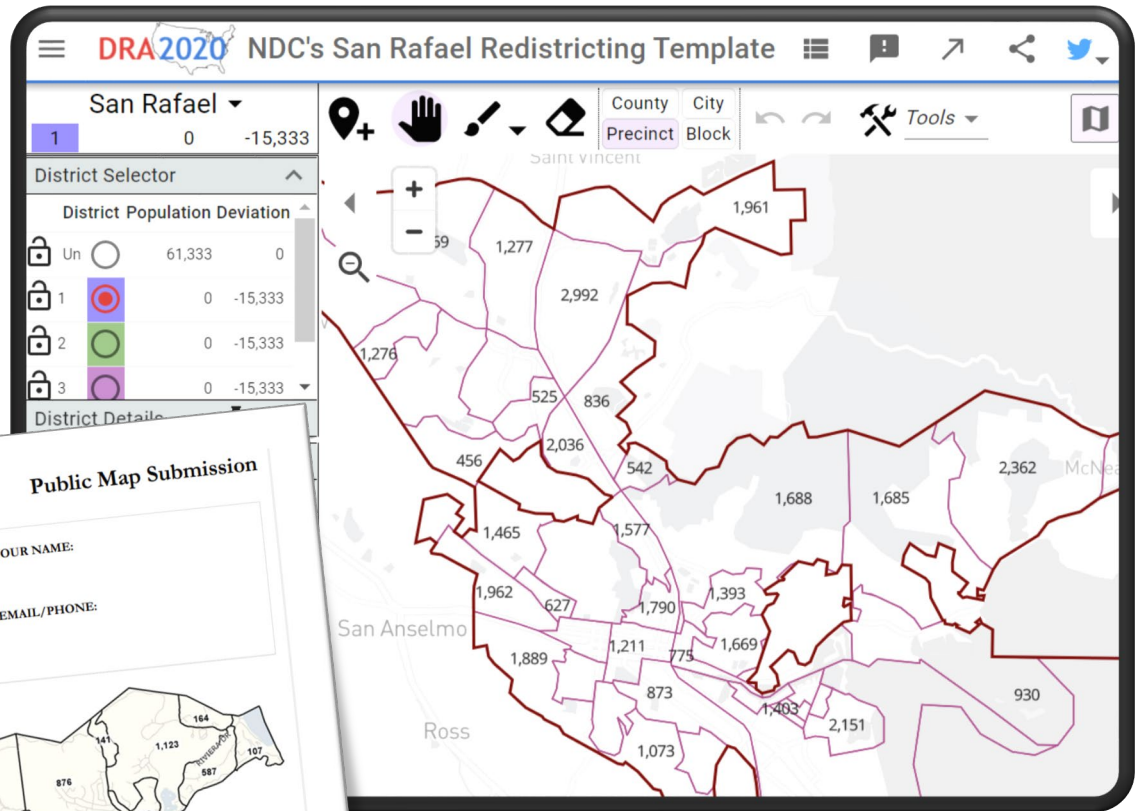


Una "**comunidad de interés**" es una población que comparte intereses sociales o económicos comunes que se deben incluir **dentro de un mismo distrito** para lograr su representación efectiva y justa.

Las definiciones de "comunidades de interés" **no** incluyen las relaciones con partidos políticos, miembros titulares o candidatos políticos.

Herramientas cartográficas públicas

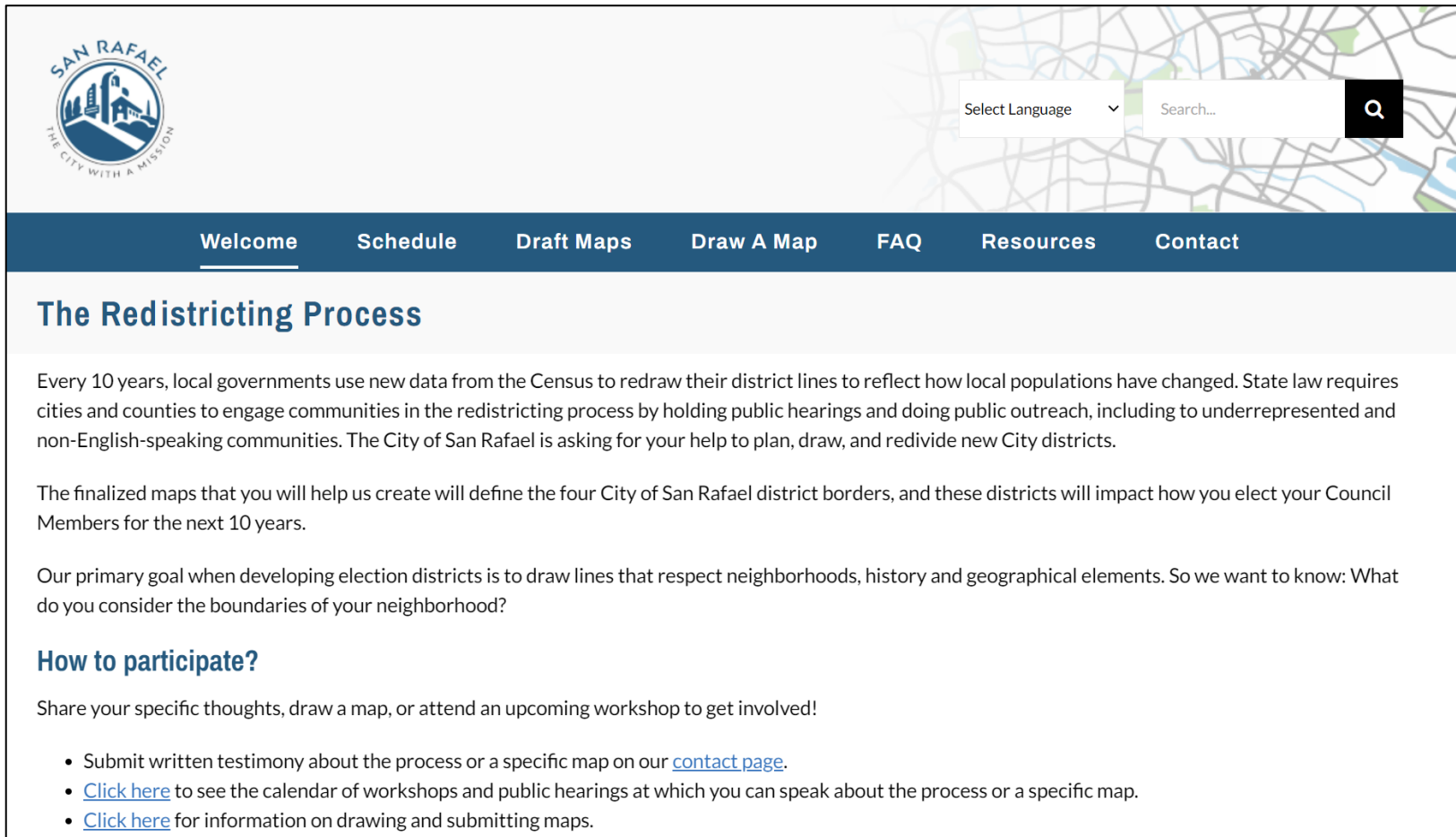
Las herramientas cartográficas de San Rafael permiten a los residentes trazar sus comunidades de interés, su distrito local o un plan de distrito para toda la ciudad



Testimonio público

- ¿Cuáles son los límites geográficos de su vecindario o "comunidad de interés"?
- ¿Debería mantenerse su vecindario o "comunidad de interés" en un solo distrito? ¿Por qué o por qué no?
- ¿Qué otras zonas de la ciudad deberían tenerse en cuenta a la hora de preparar los mapas de los distritos?

Comparta sus opiniones



The screenshot shows the top of the City of San Rafael website. On the left is the city logo with the text 'SAN RAFAEL THE CITY WITH A MISSION'. On the right is a search bar with a 'Select Language' dropdown and a search icon. Below the header is a dark blue navigation bar with links: Welcome, Schedule, Draft Maps, Draw A Map, FAQ, Resources, and Contact. The main content area has a light blue background and features the heading 'The Redistricting Process'. The text explains that every 10 years, local governments use new data from the Census to redraw district lines. It states that the City of San Rafael is asking for public input to plan, draw, and redive new City districts. It also mentions that the finalized maps will define the four City of San Rafael district borders. The page asks for input on neighborhood boundaries and provides a 'How to participate?' section with instructions to share thoughts, draw maps, or attend workshops. A list of actions includes submitting written testimony, clicking links for workshop calendars, and clicking links for drawing and submitting maps.

The Redistricting Process

Every 10 years, local governments use new data from the Census to redraw their district lines to reflect how local populations have changed. State law requires cities and counties to engage communities in the redistricting process by holding public hearings and doing public outreach, including to underrepresented and non-English-speaking communities. The City of San Rafael is asking for your help to plan, draw, and redive new City districts.

The finalized maps that you will help us create will define the four City of San Rafael district borders, and these districts will impact how you elect your Council Members for the next 10 years.

Our primary goal when developing election districts is to draw lines that respect neighborhoods, history and geographical elements. So we want to know: What do you consider the boundaries of your neighborhood?

How to participate?

Share your specific thoughts, draw a map, or attend an upcoming workshop to get involved!

- Submit written testimony about the process or a specific map on our [contact page](#).
- [Click here](#) to see the calendar of workshops and public hearings at which you can speak about the process or a specific map.
- [Click here](#) for information on drawing and submitting maps.

Sitio web: redistrictsanrafael.org



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Public Works

Prepared by: Bill Guerin,
Director of Public Works

City Manager Approval: 

TOPIC: SAN QUENTIN PUMP STATION

SUBJECT: INFORMATIONAL REPORT REGARDING THE SAN QUENTIN PUMP STATION RECONSTRUCTION PROJECT AND FUNDING

RECOMMENDATION:

Accept the informational report.

BACKGROUND:

The San Quentin Pump Station was constructed in 1972 and is located in the saltwater marsh wetland and detention pond behind Target and Home Depot off Shoreline Parkway. The pump station conveys stormwater from the detention pond into the San Rafael Bay through a 960-foot outfall pipe that goes underneath the levee along the San Francisco Bay Trail. The existing pump station building is approximately 720 square feet in size and consists of a wet well, pressure vault, associated controls, and two vertical pumps.

After almost 50 years of operation, both the pump station and outfall pipe are beyond their useful life and need to be replaced. Without a functioning pump station at this location, stormwater would overflow from the detention pond into the neighboring industrial areas and inundate Interstate 580. Additionally, climate change is anticipated to result in larger storm events and rising sea levels therefore requiring an improved, more powerful pump station in place of the existing one. The new pump station will have additional pumping capacity and will also be more energy efficient than the existing facility. Staff is also studying the feasibility of an in-line trash capture device that will filter any debris running through the system. Staff is seeking State funding for the trash capture device with the intention of installing it soon after the pump station is completed.

On December 18, 2017, the City Council approved an agreement with CSW/Stuber-Stroeh Engineering Group, Inc. for preliminary engineering services resulting in a Basis of Design/Feasibility Study. After amending the agreement on October 1, 2018, the design consultant commenced environmental studies and construction drawings. As required by CEQA, on January 21, 2020, Council adopted the Mitigated Negative Declaration for this project and directed staff to proceed with final design and pursue regulatory environmental permits.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

SAN RAFAEL CITY COUNCIL AGENDA REPORT / Page: 2

That effort is nearing completion we expect to obtain the necessary permits to construct this project this spring.

ANALYSIS:

Construction of the San Quentin Pump Station is estimated to cost \$3.2 million. Additional costs related to construction including contingency, construction management, and inspection costs will also be needed. The average annual Stormwater Fee funds available for CIP projects is only \$500,000. Therefore, City staff has been actively pursuing grant funding to support the construction effort. In December 2019, staff applied to the FEMA Hazard Mitigation Grant Program to obtain \$2.4 million of federal funds, but that grant application was unsuccessful. In August 2020, staff also applied to the State's Urban Flood Protection Grant Program to obtain \$1.5 million and that grant application was also unsuccessful. At this point, staff does not have a funding alternative for this important climate change-related infrastructure project that would be superior to using the American Rescue Plan Act (ARPA) funding.

In 2021, the City received funding through ARPA that can be used for CIP projects, and ARPA specifically calls out water infrastructure projects as eligible. City staff recommends that ARPA funds be used for the construction of this project. This project directly or indirectly touches on all of the City Council's key focus areas for 2021/22, with a particular concentration on the key focus area of "Sustainability, Climate Change, and Disasters." It is also a very significant infrastructure project that has been planned for many years without an available alternative funding source.

In addition to presenting the funding plan, this item is being brought forward to the City Council as an informational report at this time to raise awareness of a very significant infrastructure project, in the millions of dollars, prior to it coming to the City Council for formal bid award.

FISCAL IMPACT:

There is no fiscal impact for the acceptance of this informational report. City staff will proceed to advertise and award the construction project and will recommend appropriation of the ARPA funds at a future Council meeting once a construction contractor is identified.

OPTIONS:

The City Council has the following options to consider relating to this matter:

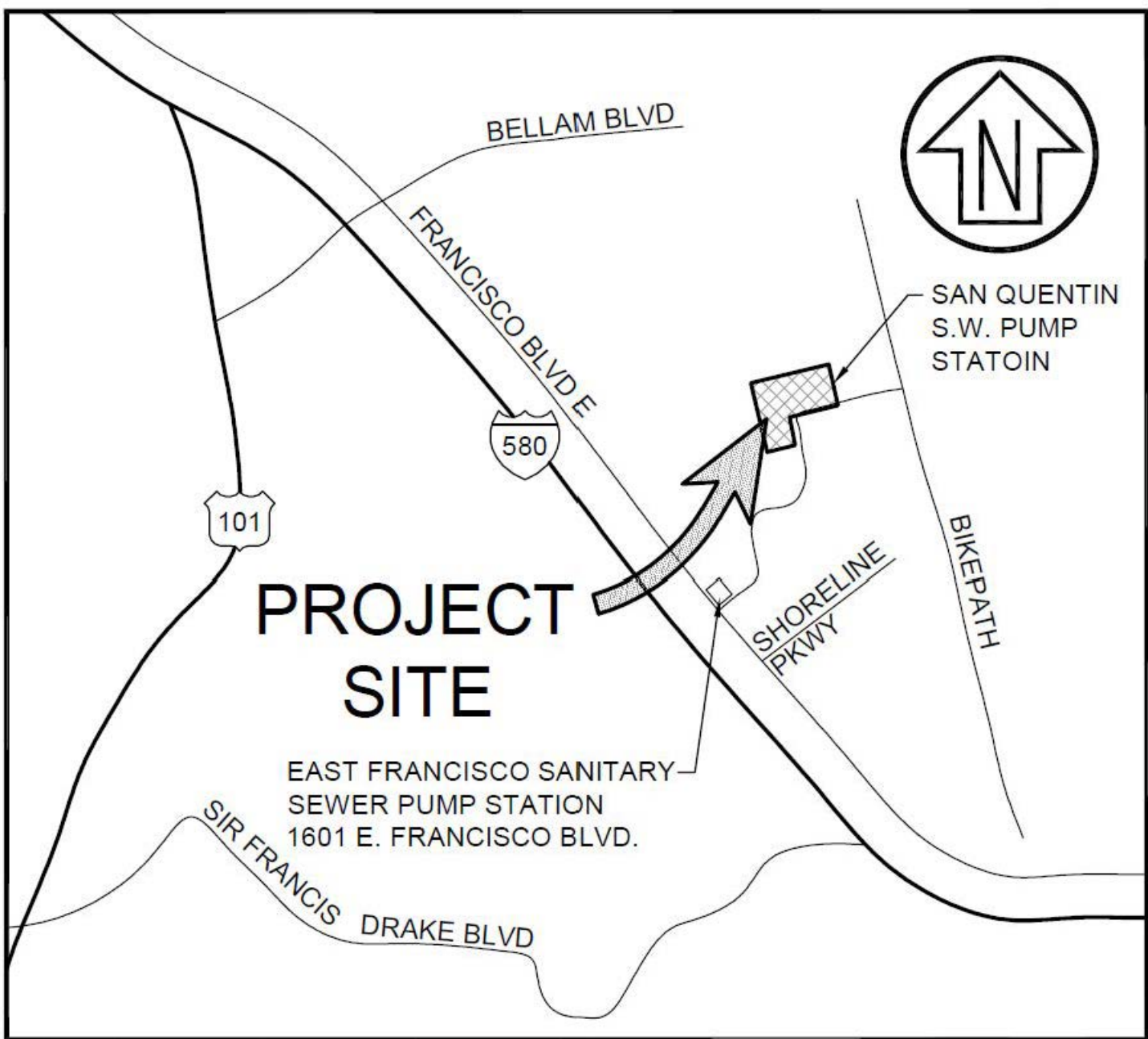
1. Accept the informational report as presented.
2. Do not accept the informational report
3. Direct staff to return with more information.

RECOMMENDED ACTION:

Accept the report.

ATTACHMENT:

1. Excerpts from the 60% planset that depict the overall project and existing condition.



PROJECT SITE

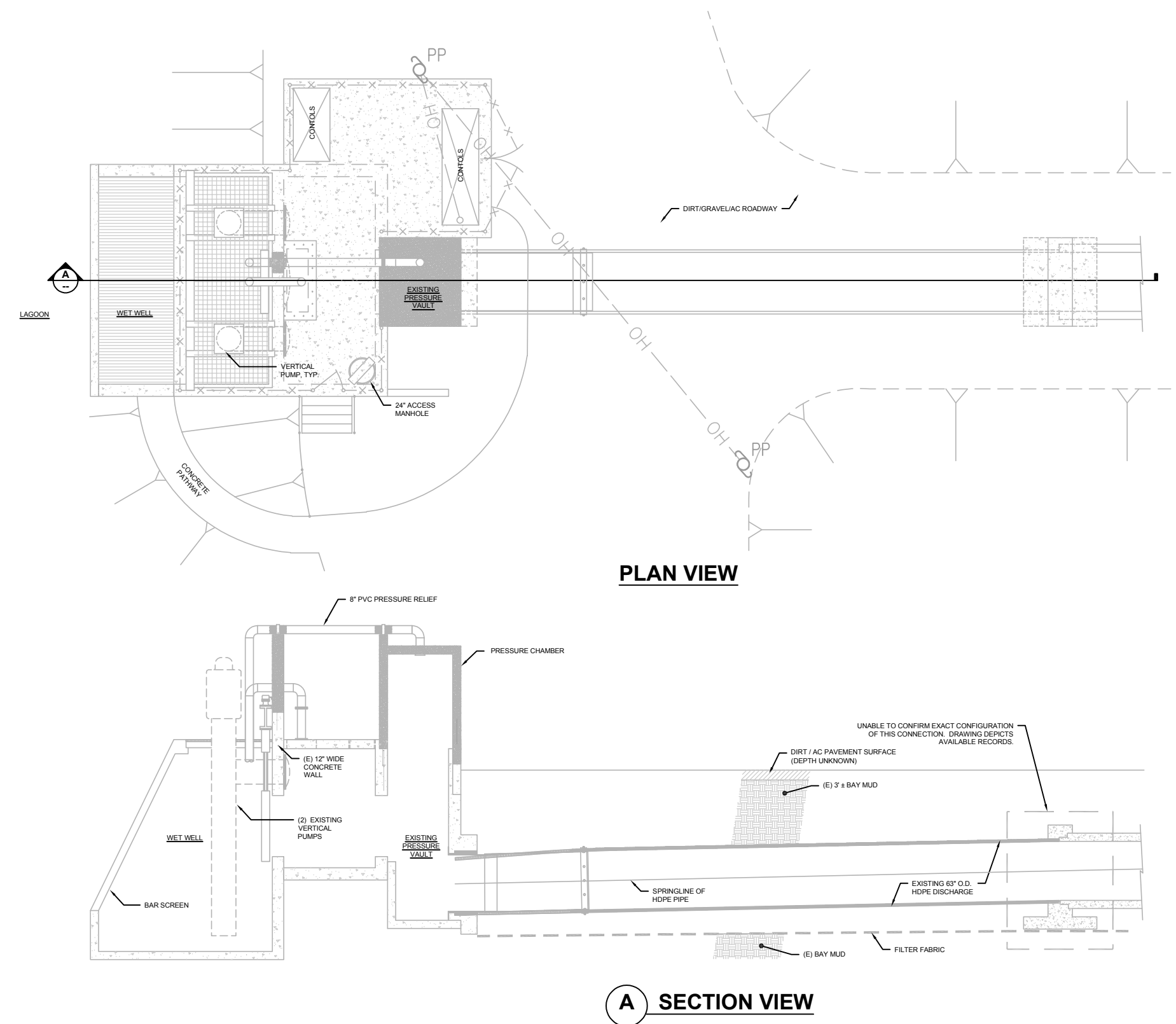
EAST FRANCISCO SANITARY SEWER PUMP STATION
1601 E. FRANCISCO BLVD.



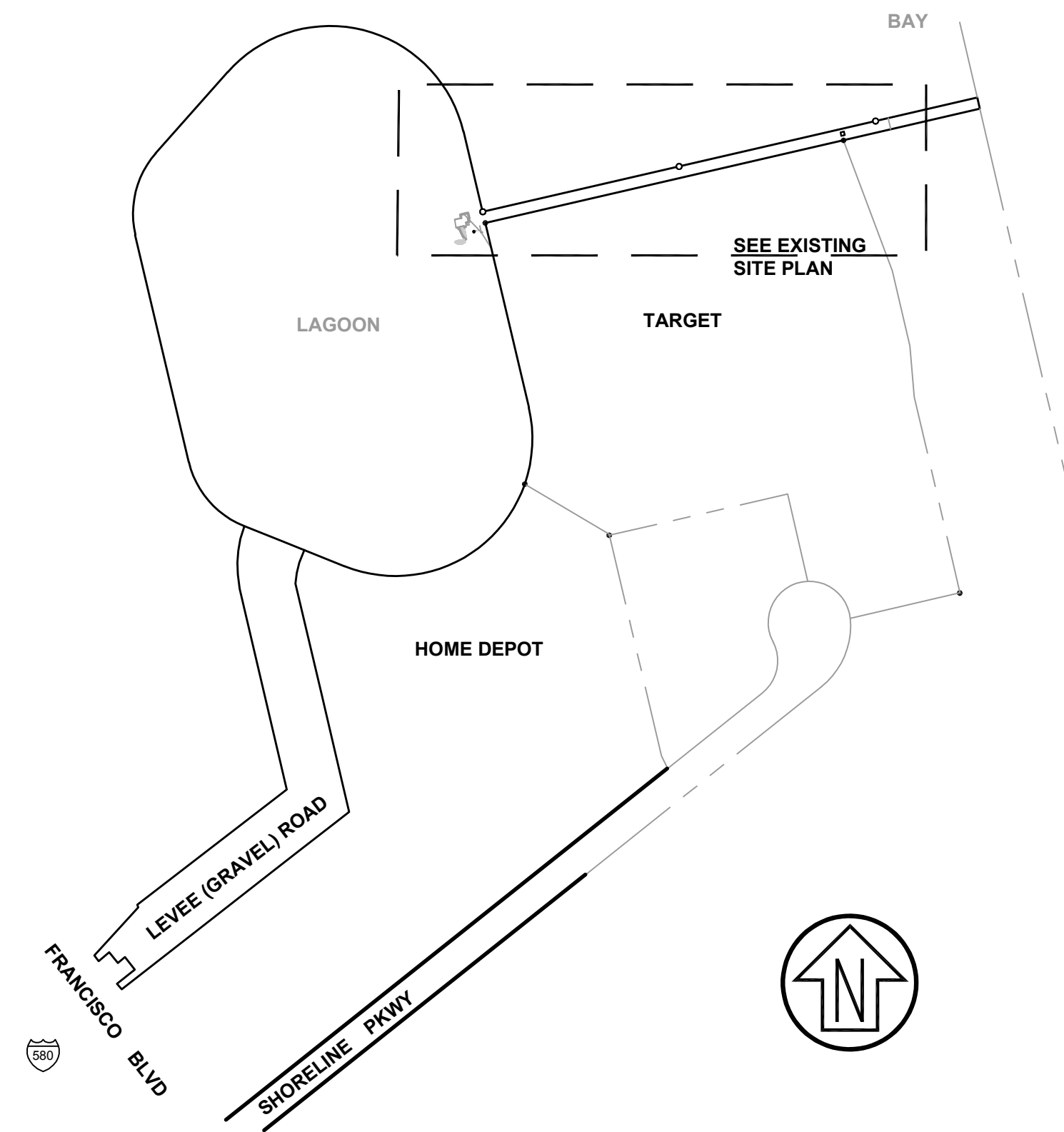
SAN QUENTIN S.W. PUMP STATION

VICINITY MAP

SCALE: NTS



EXISTING PUMP STATION SITE PLAN & SECTION VIEW
1 inch = 10 ft.



PROPERTY MAP
1 inch = 300 ft.

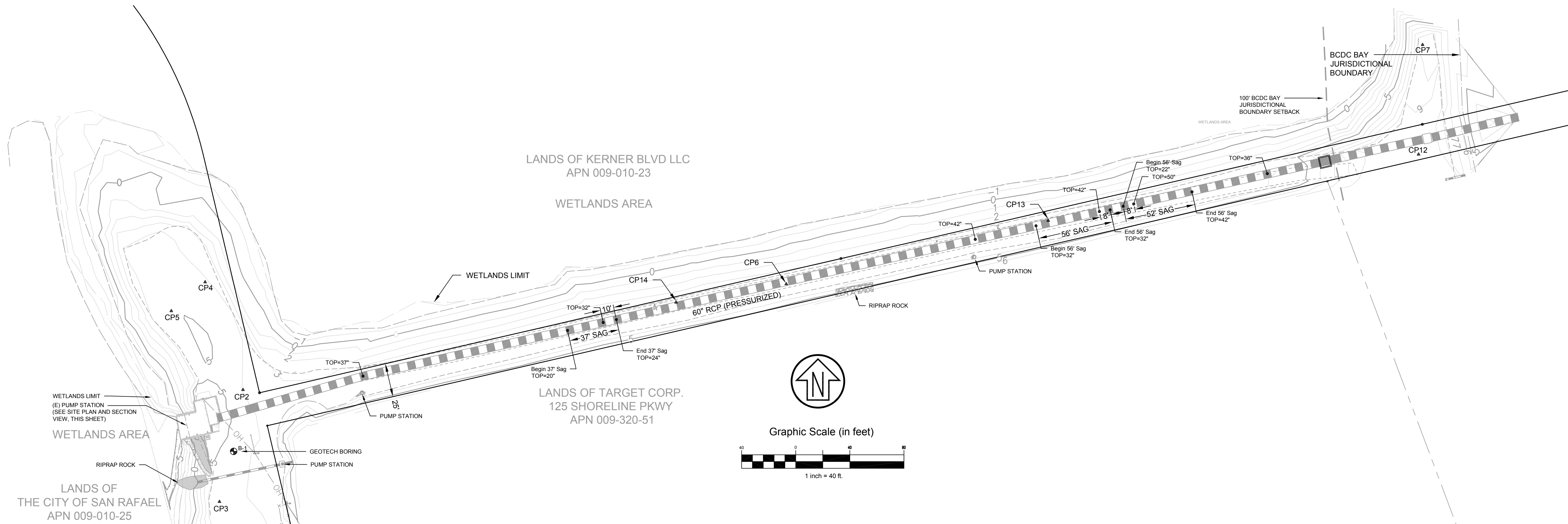
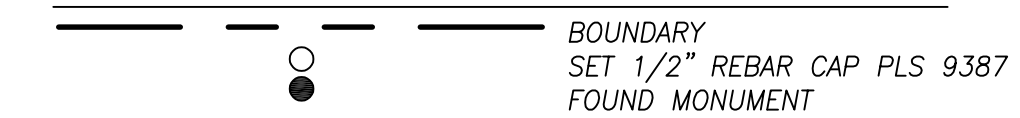
CONTROL POINTS

POINT NO.	NOTHING	EASTING	ELEVATION	DESCRIPTION
2	2176656.299812	5987083.060150	3.96	CP 60D
3	2176573.533388	5987065.644983	4.35	CP 60D
4	2176735.928568	5987055.085624	4.12	CP 60D
5	2176714.591922	5987030.066885	4.80	CP 60D
6	2176734.340642	5987484.616836	3.54	CP 60D
7	2176911.145372	5987954.962687	9.13	CP 60D
12	2176830.111457	5987951.950462	9.54	CP 60D
13	2176781.163349	5987678.220722	2.81	CP 60D
14	2176720.821334	5987403.134558	3.88	CP 60D

BASIS OF BEARINGS

BASIS OF BEARINGS FOR THIS MAP IS N76°59'41"E BASED ON FOUND 1/2" IRON PIPES ONE TAGGED LS 7237 AND THE OTHER HAVING AN ILLEGIBLE TAG. BOTH ACCEPTED AS THE CORNERS OF LOT 6, 2012 PM 96 [9], MARIN COUNTY RECORDS.

LEGEND

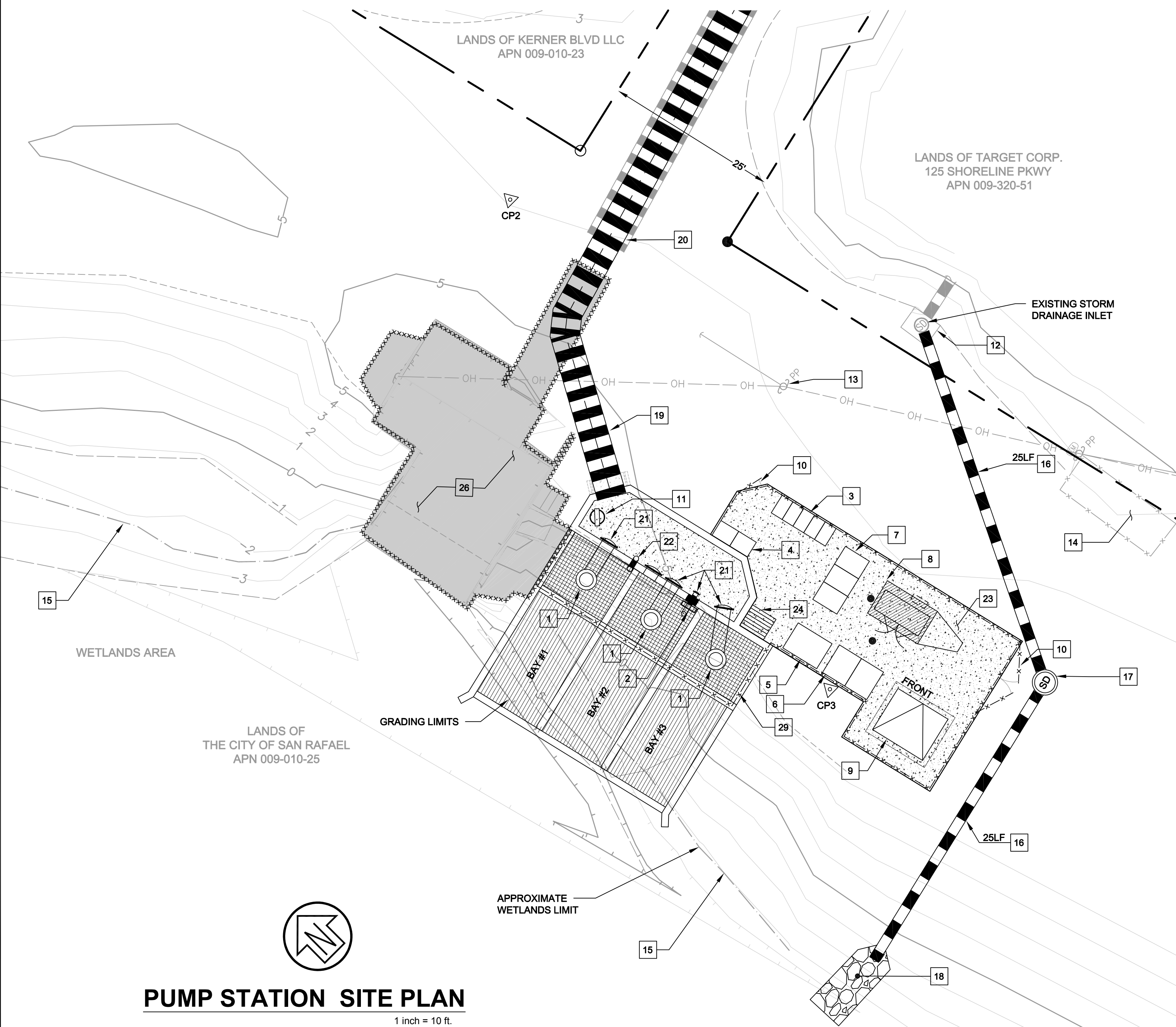


EXISTING SITE PLAN
N.T.S.

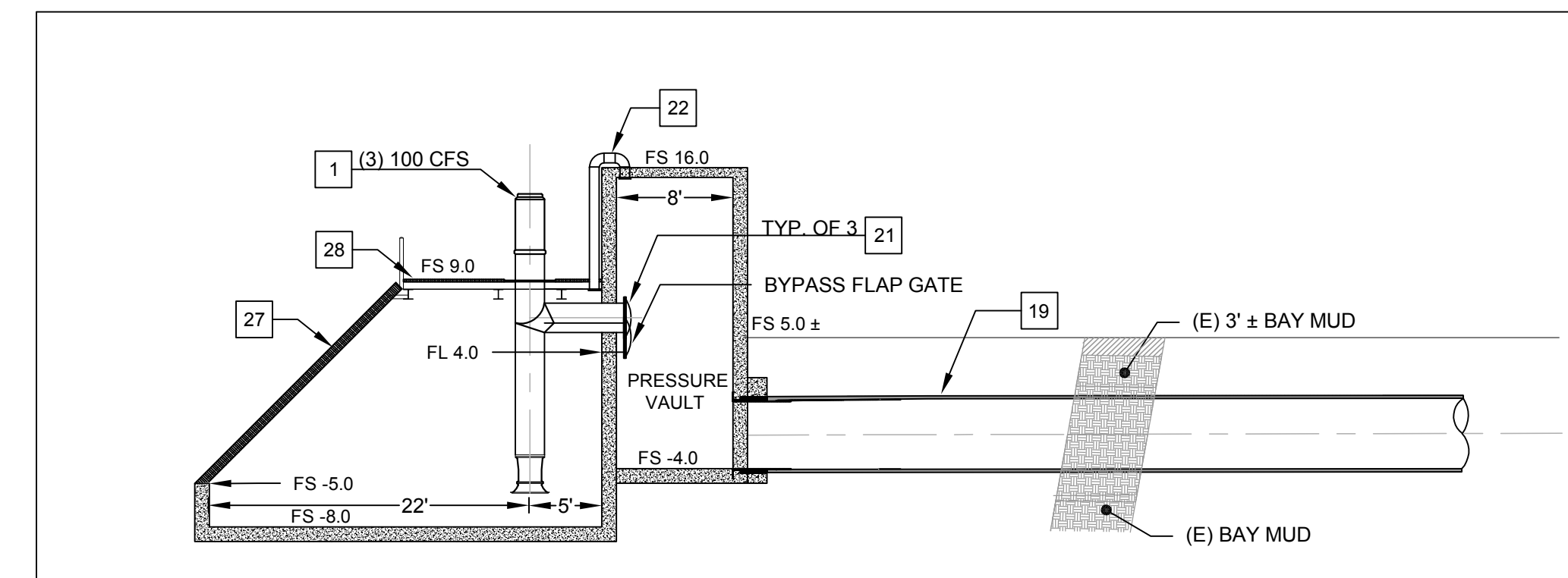
	DATE	8-02-19	BY	68% CD	NO.	REVISION	DATE	
DESIGNED	RJS		DRAWN	SAS		CHECKED	RJS	
APPROVED								
PROJECT NAME		SAN QUENTIN PUMP STATION RECONSTRUCTION PROJECT			DRAWING NAME			EXISTING CONDITIONS PLAN
		COUNTY OF MARIN			CALIFORNIA			
PRELIMINARY								
<p>CSW ST 2 CSW/Slater-Stroth Engineering Group, Inc. 11000 Sycamore Ave., Suite 200 Novato, CA 94949 Tel: 415-885-9850 Fax: 415-885-9855 Civil & Structural Engineers Environmental Planning Construction Management</p>								
<p>CITY OF SAN RAFAEL DEPARTMENT OF PUBLIC WORKS</p>								
SCALE: as shown								
DATE: November 14, 2018								
CITY PROJECT NO.: 11334								
SHEET NO.: C2.0								
DRAWING: 2 OF 11								

KEYNOTES

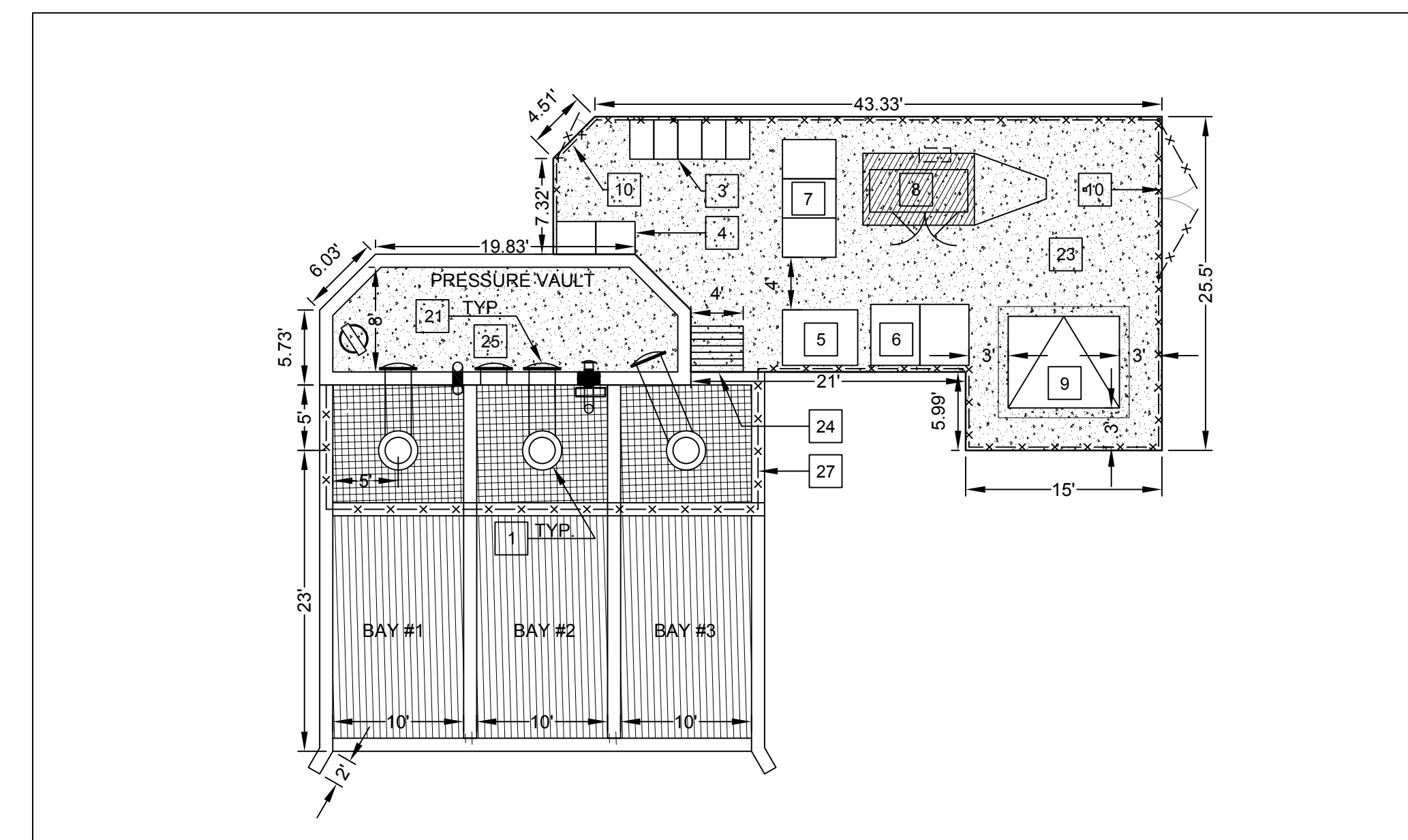
- | | | | | | |
|----|---|----|--|----|---|
| 1 | NEW VERTICAL PUMPING UNIT | 11 | BOLTED DOWN MANHOLE LID | 22 | 8" PRESSURE RELIEF LINE |
| 2 | NEW 5HP SUBMERSIBLE PUMPING UNIT | 12 | PROTECT IN PLACE EXISTING STORM DRAIN TURNING STRUCTURE | 23 | CONCRETE SLAB (SEE DETAILS, SHEET C6.0) |
| 3 | NEW MOTOR CONTROL CENTER | 13 | PROTECT IN PLACE EXISTING UTILITY POLE & METER | 24 | PREFABRICATED PEDESTRIAN STAIRWAY |
| 4 | NEW PLC CONTROL | 14 | PROTECT IN PLACE EXISTING PUMP STATION & FENCING | 25 | OVERFLOW PIPE AND FLAP GATE WITH FL ELEV = 4.0 |
| 5 | NEW AUTOMATIC TRANSFER SWITCH | 15 | WETLANDS LIMITS | 26 | REMOVE & DISPOSE EXISTING PUMP STATION, SEE DEMOLITION PLANS C2.1 |
| 6 | MAIN SWITCHBOARD | 16 | 18" STORM DRAIN PIPE - SEE PLAN & PROFILE SHEET C3.0 AND DETAIL SHEET C6.1 | 27 | BAR SCREEN (SEE DETAILS, SHEET C6.2) |
| 7 | NEW SWITCHBOARD MS-1 | 17 | STORM DRAIN MANHOLE (UCS DWG #205, TYPE "A") | 28 | CATWALK (SEE DETAILS, SHEET C6.2) |
| 8 | PORTABLE GENERATOR (NIC) | 18 | 12" NOMINAL Ø RIPRAP ROCK (10 TONS) - SEE DETAIL SHEET C6.1 | 29 | NEW SS HAND RAILING |
| 9 | NEW TRANSFORMER & PAD | 19 | 48" STORM DRAIN PIPE (OPEN TRENCH) SEE PLAN & PROFILE SHEET C3.0 - 3.1 AND DETAIL SHEET C6.1 | | |
| 10 | NEW 4' WIDE PEDESTRIAN OR 12' WIDE VEHICULAR GATE (SEE DETAILS, SHEET C6.1) | 20 | 48" STORM DRAIN PIPE (SLIP LINE) SEE PLAN & PROFILE SHEET C3.0 - 3.1 | | |
| | | 21 | FLAP GATE (SEE DETAIL, SHEET C6.3) | | |



PUMP STATION SITE PLAN
1 inch = 10 ft.



PUMP STATION SECTION VIEW
1 inch = 10 ft.



PUMP STATION LAYOUT
1 inch = 10 ft.

DESIGNED	DRAWN	CHECKED	APPROVED	DATE
RJS	SAS	RJS		

NO.	REVISION	BY	DATE
1	65% CD	RJS	8-02-19

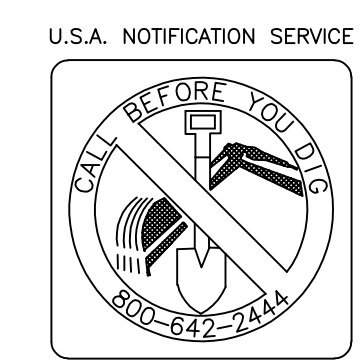
PROJECT NAME	SAN QUENTIN PUMP STATION RECONSTRUCTION PROJECT
DRAWING NAME	PUMP STATION LAYOUT PLAN
COUNTY OF	SAN RAFAEL
COUNTY OF	MARIN
COUNTY OF	CALIFORNIA

PRELIMINARY

CSW ST 2	CSW/Stubbs-Stroeh Engineering Group, Inc. 10000 Sycamore Ave. Novato, CA 94949 Tel: 415-885-9850 Fax: 415-885-9855 Civil & Structural Engineers Environmental Planning Construction Management
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	CITY OF SAN RAFAEL DEPARTMENT OF PUBLIC WORKS
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SCALE:	as shown
DATE:	November 14, 2018
CITY PROJECT NO.:	11334
SHEET NO.:	C4.0
DRAWING:	5 OF 11






Agenda Item No: SA 1.a
Meeting Date: January 18, 2022

**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
AGENDA REPORT**

Department: Finance Department

Prepared by: Nadine Atieh Hade
Finance Director

City Manager Approval: 

TOPIC: RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR FISCAL YEAR 2022-23

SUBJECT: ACCEPTANCE OF ROPS REPORT AND AUTHORIZATION TO SUBMIT TO THE MARIN COUNTY SUCCESSOR AGENCY OVERSIGHT BOARD AND THE STATE DEPARTMENT OF FINANCE

- RECOMMENDATION:**
- 1. Review and approve the annual ROPS for July 1, 2022 through June 30, 2023.
 - 2. Authorize staff to submit the ROPS to the Marin County Successor Agency Oversight Board and the State Department of Finance.

BACKGROUND: Effective February 1, 2012, all redevelopment agencies throughout the State, including the San Rafael Redevelopment Agency (the "Dissolved SRRDA") were dissolved as a result of the State Supreme Court decision upholding ABx1 26 (the "Dissolution Act"). Under the provisions of the Dissolution Act, the City as successor agency to the Dissolved SRRDA must prepare, and the Oversight Board to the Successor Agency of the Dissolved SRRDA must adopt, a ROPS and Administrative Budget for an annual basis starting in January 2016 pursuant to SB 107.

ANALYSIS: The ROPS lists the payments required to meet the Successor Agency's obligations and serves as the Agency's budget. Funding of the Successor Agency's obligations are administered through Marin County after being received from the State. The ROPS must be approved by the Marin Countywide Successor Agency Oversight Board and the State Department of Finance before it becomes effective.

FISCAL IMPACT: No fiscal impact to the General Fund.

ATTACHMENT:
Recognized Obligation Payments Schedules (ROPS) for July 1, 2022 through June 30, 2023

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

**Recognized Obligation Payment Schedule (ROPS 22-23) - Summary
Filed for the July 1, 2022 through June 30, 2023 Period**

Successor Agency: San Rafael

County: Marin

Current Period Requested Funding for Enforceable Obligations (ROPS Detail)	22-23A Total (July - December)	22-23B Total (January - June)	ROPS 22-23 Total
A Enforceable Obligations Funded as Follows (B+C+D)	\$ -	\$ -	\$ -
B Bond Proceeds	-	-	-
C Reserve Balance	-	-	-
D Other Funds	-	-	-
E Redevelopment Property Tax Trust Fund (RPTTF) (F+G)	\$ 3,001,500	\$ 80,000	\$ 3,081,500
F RPTTF	2,936,500	15,000	2,951,500
G Administrative RPTTF	65,000	65,000	130,000
H Current Period Enforceable Obligations (A+E)	\$ 3,001,500	\$ 80,000	\$ 3,081,500

Certification of Oversight Board Chairman:

Pursuant to Section 34177 (o) of the Health and Safety code, I hereby certify that the above is a true and accurate Recognized Obligation Payment Schedule for the above named successor agency.

Name Title

/s/ _____
Signature Date

San Rafael
Recognized Obligation Payment Schedule (ROPS 22-23) - ROPS Detail
July 1, 2022 through June 30, 2023

A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
Item #	Project Name	Obligation Type	Agreement Execution Date	Agreement Termination Date	Payee	Description	Project Area	Total Outstanding Obligation	Retired	ROPS 22-23 Total	ROPS 22-23A (Jul - Dec)					22-23A Total	ROPS 22-23B (Jan - Jun)					22-23B Total
											Fund Sources						Fund Sources					
											Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF		Bond Proceeds	Reserve Balance	Other Funds	RPTTF	Admin RPTTF	
								\$3,081,500		\$3,081,500	\$-	\$-	\$-	\$2,936,500	\$65,000	\$3,001,500	\$-	\$-	\$-	\$15,000	\$65,000	\$80,000
1	Series 1999 TA Bonds	Bonds Issued On or Before 12/31/10	12/01/1999	12/30/2022	US Bank	Bond Issue CABS paid 2018-2022	Central	1,440,000	N	\$1,440,000	-	-	-	1,440,000	-	\$1,440,000	-	-	-	-	-	\$-
2	Series 2002 TA bonds	Bonds Issued On or Before 12/31/10	12/01/2002	06/30/2022	US Bank	Bond issue Dec 2014	Central	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-
3	Series 2009 TA Bonds	Bonds Issued On or Before 12/31/10	12/01/2009	06/30/2023	US Bank	Bond issue Dec 2014	Central	1,496,500	N	\$1,496,500	-	-	-	1,496,500	-	\$1,496,500	-	-	-	-	-	\$-
7	Continuing Disclosure Services / Bond Admin	Fees	12/01/2009	06/30/2023	Wildan / U.S. Bank	Disclosure and Trustee Services	Central	15,000	N	\$15,000	-	-	-	-	-	\$-	-	-	-	15,000	-	\$15,000
9	Agency Admin cost allowance	Admin Costs	06/30/2011	12/30/2023	Agency Admin cost allowance	Agency Admin cost allowance	Central	130,000	N	\$130,000	-	-	-	-	65,000	\$65,000	-	-	-	-	65,000	\$65,000
12	RDA Pension Obligation	Unfunded Liabilities	11/20/1972	06/30/2023	City of San Rafael	unfunded actuarial accrued liability 10 yr amortization schedule	Central	-	N	\$-	-	-	-	-	-	\$-	-	-	-	-	-	\$-

San Rafael
Recognized Obligation Payment Schedule (ROPS 22-23) - Report of Cash Balances
July 1, 2019 through June 30, 2020
(Report Amounts in Whole Dollars)

Pursuant to Health and Safety Code section 34177 (l), Redevelopment Property Tax Trust Fund (RPTTF) may be listed as a source of payment on the ROPS, but only to the extent no other funding source is available or when payment from property tax revenues is required by an enforceable obligation.

A	B	C	D	E	F	G	H
		Fund Sources					
		Bond Proceeds		Reserve Balance	Other Funds	RPTTF	
	ROPS 19-20 Cash Balances (07/01/19 - 06/30/20)	Bonds issued on or before 12/31/10	Bonds issued on or after 01/01/11	Prior ROPS RPTTF and Reserve Balances retained for future period(s)	Rent, grants, interest, etc.	Non-Admin and Admin	Comments
1	Beginning Available Cash Balance (Actual 07/01/19) RPTTF amount should exclude "A" period distribution amount.					(190,994)	
2	Revenue/Income (Actual 06/30/20) RPTTF amount should tie to the ROPS 19-20 total distribution from the County Auditor-Controller					3,910,462	
3	Expenditures for ROPS 19-20 Enforceable Obligations (Actual 06/30/20)					3,910,462	
4	Retention of Available Cash Balance (Actual 06/30/20) RPTTF amount retained should only include the amounts distributed as reserve for future period(s)						
5	ROPS 19-20 RPTTF Prior Period Adjustment RPTTF amount should tie to the Agency's ROPS 19-20 PPA form submitted to the CAC		No entry required				
6	Ending Actual Available Cash Balance (06/30/20) C to F = (1 + 2 - 3 - 4), G = (1 + 2 - 3 - 4 - 5)	\$-	\$-	\$-	\$-	\$(190,994)	

San Rafael
Recognized Obligation Payment Schedule (ROPS 22-23) - Notes
July 1, 2022 through June 30, 2023

Item #	Notes/Comments
1	
2	
3	
7	
9	
12	



**SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY
AGENDA REPORT**

Department: Finance Department

Prepared by: Nadine Atieh Hade,
Finance Director

City Manager Approval:  _____

TOPIC: SUCCESSOR AGENCY QUARTERLY INVESTMENT REPORT

**SUBJECT: ACCEPTANCE OF SUCCESSOR AGENCY QUARTERLY INVESTMENT REPORT
FOR THE QUARTER ENDING DECEMBER 31, 2021**

RECOMMENDATION: Accept investment report for the quarter ending December 31, 2021, as presented.

BACKGROUND: Pursuant to the State of California Government Code Section 53601 and the City's investment policy, last approved by the City Council on [June 7, 2021](#), staff provides the governing body a quarterly report on the Successor Agency's investment activities and liquidity.

ANALYSIS: The Successor Agency checking account had a balance of \$0 at quarter-end.

FISCAL IMPACT: No financial impact occurs by adopting the report.

RECOMENDATION: Accept investment report for the quarter ending December 31, 2021, as presented.

ATTACHMENT:

1. Successor Agency Cash & Investment Report October through December 2021.

FOR CITY CLERK ONLY

Council Meeting:

Disposition:

TREASURER'S CERTIFICATION

I CERTIFY THAT ALL INVESTMENTS MADE ARE IN CONFORMANCE WITH SUCCESSOR AGENCY'S APPROVED INVESTMENT POLICY AND STATE INVESTMENT REGULATIONS. THE SUCCESSOR AGENCY HAS SUFFICIENT LIQUIDITY TO MEET ALL OF THE OBLIGATIONS REQUIRED DURING THE NEXT SIX-MONTH PERIOD, SUBJECT TO OVERSIGHT BOARD APPROVAL OF OBLIGATIONS AND THE SUBSEQUENT TIMELY COUNTY DISBURSEMENT OF FUNDS.

A handwritten signature in blue ink that reads "Nadine Atieh Hade". The signature is written in a cursive style.

Nadine Atieh Hade
Finance Director

SUCCESSOR AGENCY TO SAN RAFAEL REDEVELOPMENT AGENCY

CASH and INVESTMENTS

QUARTER ENDED 12/31/2021

ISSUER	PURCHASE TYPE	MATURITY DATE	YIELD	PURCHASE PRICE	PAR VALUE	MARKET VALUE	Days to Maturity	% OF TOTAL	AS OF
<i>CASH ACCOUNTS:</i>									
WESTAMERICA	DD	N/A	N/A	\$ -	\$ -	\$ -	1	100.00%	10/31/2021
WESTAMERICA	DD	N/A	N/A	\$ -	\$ -	\$ -	1	100.00%	11/30/2021
WESTAMERICA	DD	N/A	N/A	\$ -	\$ -	\$ -	1	100.00%	12/31/2021
TOTAL INVESTMENTS				\$ -	\$ -	\$ -			
TOTAL CASH & INVESTMENTS - QUARTER-END BALANCE				\$ -	\$ -	\$ -		100.00%	

% Portfolio held 1 year or less

100%

TYPE:

DD - Demand Deposit