

File No. 231118

Committee Item No. 7

Board Item No. 9

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: Budget and Finance Committee Date January 10, 2024

Board of Supervisors Meeting Date January 23, 2024

Cmte Board

- | | | |
|-------------------------------------|-------------------------------------|--|
| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Information Form |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Award Letter |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

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| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DBI Statement on Retroactivity 10/20/2023</u> |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <u>DBI Presentation 1/10/2024</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Brent Jalipa Date January 4, 2024

Completed by: Brent Jalipa Date January 11, 2024

1 [Accept and Expend Grant - Retroactive - California Energy Commission - California
2 Automated Permit Processing Program - \$100,000]

3 **Resolution retroactively authorizing the Department of Building Inspection to accept**
4 **and expend a grant in the amount of \$100,000 from the California Energy Commission**
5 **for participation in the California Automated Permit Processing Program and for costs**
6 **associated directly with the adoption and maintenance of SolarAPP+, an online,**
7 **automated solar permitting platform, for the period of September 1, 2023, through**
8 **May 31, 2027.**

9

10 WHEREAS, The California Energy Commission has agreed to fund the Department of
11 Building Inspection in the amount of \$100,000 for costs associated directly with the adoption
12 and maintenance of an online, automated solar permitting platform, to include costs besides
13 labor costs; and

14 WHEREAS, Increased access and adoption of residential solar and residential energy
15 storage projects through streamlined permitting will help the State of California meet its clean
16 energy goals; and

17 WHEREAS, The Department of Building Inspection has chosen to adopt SolarAPP+,
18 an online application developed by the National Renewable Energy Laboratory that performs
19 automated plan review for residential solar energy systems through automatic code
20 compliance checks and issues permits instantly when the project is confirmed as code
21 compliant, without the need for human review; and

22 WHEREAS, The grant funding from the California Energy Commission will support
23 ongoing staff training and education specific to SolarAPP+, essential hardware or equipment
24 necessary to support adoption of SolarAPP+, as well as platform maintenance; and

25 WHEREAS, The grant does not require an Annual Salary Ordinance Amendment; and

1 WHEREAS, The grant terms prohibit including indirect costs in the grant budget; now,
2 therefore, be it

3 RESOLVED, That the Board of Supervisors hereby waives inclusion of indirect costs in
4 the grant budget; and, be it

5 FURTHER RESOLVED, That the Department of Building Inspection is hereby
6 authorized to accept and expend the California Automated Permit Processing grant in the
7 amount of \$100,000 from the California Energy Commission; and, be it

8 FURTHER RESOLVED, That the Board of Supervisors authorizes the Director of the
9 Department of Building Inspection, or his designee, to enter into the agreement on behalf of
10 the City and County of San Francisco.

11

12 Recommended: Approved: _____/s/_____

13 Mayor

14 _____/s/_____

15 PATRICK O'RIORDAN

16 Department Head Approved: _____/s/_____

17 Controller

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Resolution: Retroactive Accept & Expend Grant of \$100,000 from California Energy Commission for SolarAPP+

Budget & Finance Committee

January 10, 2024

Background

- Senate Bill 379 established requirements for California cities and counties to implement an online, automated permitting platform
- Department of Building Inspection (DBI) chose to adopt SolarAPP+, an online application developed by the National Renewable Energy Laboratory
- SolarAPP+ performs automated plan review for residential solar energy systems through automatic code compliance checks and issues permits instantly when the project is confirmed as code compliant, without the need for human review
- SolarAPP+ application available to customers on DBI's website as of October 1, 2023

California Energy Commission Grant

- The California Energy Commission (CEC) has agreed to fund DBI in the amount of \$100,000 for costs associated directly with the adoption and maintenance of SolarAPP+
- The CEC grant funding will support ongoing staff training and education specific to SolarAPP+, essential hardware or equipment necessary to support adoption of SolarAPP+, as well as platform maintenance



THANK YOU

File Number: 231118
(Provided by Clerk of Board of Supervisors)

Grant Resolution Information Form
(Effective July 2011)

Purpose: Accompanies proposed Board of Supervisors ordinances authorizing a Department to accept and expend grant funds.

The following describes the grant referred to in the accompanying resolution:

1. Grant Title: **California Automated Permit Processing (CalAPP) Program**
2. Department: **Department of Building Inspection**
3. Contact Person: **James Zhan** Telephone: **(628) 652-3712**
4. Grant Approval Status (check one):
 Approved by funding agency Not yet approved
5. Amount of Grant Funding Approved or Applied for: **\$100,000**
6. a. Matching Funds Required: **\$0**
b. Source(s) of matching funds (if applicable): **N/A**
7. a. Grant Source Agency: **California Energy Commission**
b. Grant Pass-Through Agency (if applicable): **N/A**
8. Proposed Grant Project Summary: **To promote increased access and adoption of residential solar and residential energy storage projects through streamlined permitting by adopting SolarAPP+, an online, automated solar permitting platform that performs automated plan review through automatic code compliance checks without the need for human review.**
9. Grant Project Schedule, as allowed in approval documents, or as proposed:
Start-Date: **September 1, 2023** End-Date: **May 31, 2027**
10. a. Amount budgeted for contractual services: **\$0**
b. Will contractual services be put out to bid? **N/A**
c. If so, will contract services help to further the goals of the Department's Local Business Enterprise (LBE) requirements? **N/A**
d. Is this likely to be a one-time or ongoing request for contracting out? **N/A**
11. a. Does the budget include indirect costs?
 Yes **No**
b. 1. If yes, how much? **N/A**
b. 2. How was the amount calculated? **N/A**
c. 1. If no, why are indirect costs not included?
 Not allowed by granting agency To maximize use of grant funds on direct services
 Other (please explain):
c. 2. If no indirect costs are included, what would have been the indirect costs? **\$0**
12. Any other significant grant requirements or comments: **N/A**

****Disability Access Checklist***(Department must forward a copy of all completed Grant Information Forms to the Mayor's Office of Disability)**

13. This Grant is intended for activities at (check all that apply):

- | | | |
|--|---|---|
| <input type="checkbox"/> Existing Site(s) | <input type="checkbox"/> Existing Structure(s) | <input checked="" type="checkbox"/> Existing Program(s) or Service(s) |
| <input type="checkbox"/> Rehabilitated Site(s) | <input type="checkbox"/> Rehabilitated Structure(s) | <input type="checkbox"/> New Program(s) or Service(s) |
| <input type="checkbox"/> New Site(s) | <input type="checkbox"/> New Structure(s) | |

14. The Departmental ADA Coordinator or the Mayor's Office on Disability have reviewed the proposal and concluded that the project as proposed will be in compliance with the Americans with Disabilities Act and all other Federal, State and local disability rights laws and regulations and will allow the full inclusion of persons with disabilities. These requirements include, but are not limited to:

1. Having staff trained in how to provide reasonable modifications in policies, practices and procedures;
2. Having auxiliary aids and services available in a timely manner in order to ensure communication access;
3. Ensuring that any service areas and related facilities open to the public are architecturally accessible and have been inspected and approved by the DPW Access Compliance Officer or the Mayor's Office on Disability Compliance Officers.

If such access would be technically infeasible, this is described in the comments section below:

Comments:

Departmental ADA Coordinator or Mayor's Office of Disability Reviewer:

Thomas Fessler
(Name)

Senior Building Inspector
(Title)

Date Reviewed: 9/21/23


(Signature Required)

Department Head or Designee Approval of Grant Information Form:

Patrick O'Riordan
(Name)

Director, Department of Building Inspection
(Title)

Date Reviewed: 9/21/23


(Signature Required)

California Energy Commission - California Automated Permit Processing (CalAPP) Program

TASK/ITEM	TASK/ITEM TITLE	BUDGET
1	in-house staff labor costs associated directly with adoption and maintenance of the platform	\$70,000
2	staff training and education, specific to the platform	\$10,000
3	training events for local installers, specific to the platform	\$10,000
4	hardware or equipment necessary to support adoption of the platform	\$10,000
TOTAL		\$100,000

Nicita, Carl (DBI)

From: Palo, Enrico@Energy <Enrico.Palo@Energy.ca.gov>
Sent: Monday, June 5, 2023 3:25 PM
To: Zhan, James (DBI)
Cc: Van Winkle, Adam@Energy
Subject: CEC CalAPP Grant Agreement APP-22-275 City and County of San Francisco

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Hello,

Re: GRANT AWARD NUMBER: APP-22-275
City and County of San Francisco

Kindly provide the name and email address of the authorized person to receive and sign the signature page of the CEC CalAPP Grant Agreement. The agreement package will be routed through DocuSign for review and signoff.

Please let me know if you have any questions.

Thanks,

Eric Palo

Commission Agreement Officer
Contracts, Grants and Loans
(916) 957-7856

California Energy Commission





RECIPIENT City and County of San Francisco	AGREEMENT NUMBER APP-22-275
ADDRESS 49 South Van Ness San Francisco, CA 94103	AGREEMENT TERM 02/23/2023 to 05/31/2027 The effective date of this Agreement is either the start date or the approval signature date by the California Energy Commission representative below, whichever is later. The California Energy Commission shall be the last party to sign. No work is authorized, nor shall any work begin, until on or after the effective date.

PROJECT DESCRIPTION
 The parties agree to comply with the terms and conditions of the following Exhibits which are by this reference made a part of the agreement.

Exhibit A – Application with Scope of Work	Page(s): 4
Exhibit B – APP General Terms and Conditions	Page(s): 5
Exhibit C – Contact List	Page(s): 1

REIMBURSABLE AMOUNT \$ 100,000
MINIMUM MATCH SHARE REQUIRED \$ 0
TOTAL OF REIMBURSABLE AMOUNT AND MINIMUM MATCH \$ 100,000

The undersigned parties have read the attachments to this agreement and will comply with the standards and requirements contained therein.

CALIFORNIA ENERGY COMMISSION		CONTRACTOR	
AUTHORIZED SIGNATURE <i>Adrienne Winuk</i>	DATE 6/26/2023	AUTHORIZED SIGNATURE <i>Neville Pereira</i>	DATE 6/26/2023
NAME Adrienne Winuk		NAME Neville Pereira	
TITLE Contracts, Grants, and Loans Office Manager		TITLE Deputy Director - Dept. of Bldg. Insp.	
CALIFORNIA ENERGY COMMISSION ADDRESS 715 P Street, MS 18, Sacramento, CA 95814			

**ATTACHMENT 01
Grant Application Form – EXHIBIT A**

California Automated Permit Processing (CalAPP) Program

1. APPLICANT INFORMATION (REQUIRED)

Jurisdiction Name (please use full legal name as it would appear on the executed grant):
City and County of San Francisco

Jurisdiction Type (select one):

City

County

City and County

Current Estimated Population [State of California Department of Finance Demographics](https://dof.ca.gov/forecasting/Demographics/)
(<https://dof.ca.gov/forecasting/Demographics/>):

Less than 50,000

From 100,000 to 200,000

From 50,000 to 99,999

Greater than 200,000

Project Manager <i>(serves as point of contact for all communications)</i>	Name	James Zhan
	Street Address	49 South Van Ness
	City and Zip Code	San Francisco 94103
	Phone Number	(628) 652-3712
	E-Mail Address	james.zhan@sfgov.org

2. FUNDING (REQUIRED)

Assigned Maximum Grant Amount (select ***one***)

Group 1 (\$40,000): Population less than 50,000

Group 2 (\$60,000): Population from 50,000 to 99,999

Group 3 (\$80,000): Population from 100,000 to 200,000

Group 4 (\$100,000): Population greater than 200,000

3. PROJECT INFORMATION (REQUIRED)

A. Online, automated solar permitting platform to be adopted:

SolarAPP+

Other. If selected, complete Section 4 ("Additional Information")

B. Please select allowable budget item(s) anticipated to be used (Select at least one):

Ongoing in-house staff labor costs associated directly with adoption and maintenance of the platform

Ongoing third-party or consultant time associated directly with adoption and maintenance of the platform

Ongoing staff training and education, specific to the platform

Ongoing training events for local installers, specific to the platform

Essential hardware or equipment necessary to support adoption of the platform

Maintenance, such as adding support for energy storage paired with solar energy system permitting, and subscription cost for permit tracking software in support of adopted permitting platform

C. Estimated Project Timeline*

*Enter actual dates if activities already began

Activity	Date (Month/Year)
Begin Development/Pilot	February 9, 2023
Full Adoption	September 30, 2023
Staff Training	February 9, 2023
Training for Local Installers	February 9, 2023

4. ADDITIONAL INFORMATION (if applicable)

NOTE: Only complete this section if you implement a platform other than SolarAPP+

Please identify whether the following features are supported by the implemented platform. All features are required for the platform to qualify for funding. CEC staff will verify prior to payment approval.


Performs an automated plan review for residential solar energy systems that completes automatic code compliance checks based on user inputs (such as a contractor), thereby enabling or otherwise issuing permits instantly when the project is confirmed as code compliant, without the need for human review	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Supports online, immediate fee payment once an application is complete, which may include auto-invoicing of permit fee costs	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Supports immediate generation of a permit job card following payment confirmation	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Blocks noncompliant applications from receiving a permit	<input type="checkbox"/> Yes	<input type="checkbox"/> No
EITHER: 1) Stand-alone permitting tool; OR 2) Integrates with current software and inspection platform already in use	<input type="checkbox"/> Yes	<input type="checkbox"/> No

5. REPORTING (REQUIRED)

Following adoption and verification of a qualifying platform, the Energy Commission may request, and the Recipient will provide if requested, annual data on the number of permits issued for solar energy systems and a solar energy system paired with an energy storage system including relevant characteristics of those systems, such as system capacity. Please indicate your acceptance of these terms.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
--	---	-----------------------------

6. CERTIFICATION (REQUIRED)

- I am authorized to complete and sign this form on behalf of the applicant.
- I authorize the California Energy Commission to make any inquiries necessary to verify the information presented in this application.
- I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the applicant, and the applicant is willing to enter into an agreement with the Energy Commission to conduct the proposed project according to the terms and conditions without negotiation.
- I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Authorized Representative:	James Zhan
Title:	Senior Engineer & Specialty Review Manager
Phone Number:	(628) 652-3712
E-mail Address:	james.zhan@sfgov.org
Date:	February 9, 2023
Signature of Authorized Representative:	

NOTE: Do not overlap signature with surrounding border lines.

California Automated Permit Processing (CalAPP) Program

ATTACHMENT 2 – Terms and Conditions

Added language appears in **bold underlined** font and deleted language appears in strikethrough and within square brackets.

1. **Background and Authority for this Grant**

California Senate Bill 129 (2021) included an appropriation to the California Energy Commission (CEC) to support a grant program for cities, counties, or cities and counties to establish online solar permitting.

2. **Documents Incorporated by Reference and Priority**

Incorporated by reference into this agreement are the following documents:

- A. Grant Funding Opportunity (GFO) 21-402.
- B. Recipient's application to CalAPP.

As between and the incorporated documents and the remainder of this Agreement, the rest of this Agreement takes priority in case of a conflict.

3. **Budget, Invoices, and Payments**

- a) The CEC is only obligated to reimburse the Recipient for paid costs that are (1) incurred during the Agreement Term; (2) invoiced within the required timeframes of this Agreement; (3) not more than this Agreement's budget; and (4) reasonable, actual, and allowable expenses under this Agreement.
- b) Recipient acknowledges that the funds under this Agreement have a liquidation date of June 30, 2027, a legal timeframe after which the CEC has no authority to pay the funds. In addition, it takes the CEC administrative time to review, approve, work with the Recipient to correct any errors in, and request the State Controller's Office to pay invoices. Accordingly, Recipient acknowledges that if it does not submit accurate invoices by March 30, 2027, for all amounts due under the Agreement, it risks not receiving payment, and relinquishes all rights to such payments should the CEC not pay it by the liquidation date. Recipient acknowledges that time is of the essence in invoicing by March 30, 2027, for all amounts due under this Agreement.

The Recipient may request payment from the Energy Commission at any time during the term of this Agreement after successful adoption of a qualifying solar permitting platform as verified by the CEC, but no more frequently than monthly. Recipient must use the CAM provided template invoice spreadsheet.

- c) If invoicing for in-house staff time, the template invoice spreadsheet must identify the employee's name, hours worked, and billing rate to be included as a reimbursable expense.
- d) Unallowable costs include:
 - Software not related to the adoption of a qualifying online, automated permitting platform.

- Any costs incurred or activities conducted prior to entering into a grant agreement with the Energy Commission or incurred after the grant agreement has ended.
- Typically excluded items such as food and beverages.
- Advertising costs.
- Fines and penalties.
- Permit processing fees charged by operator of an online platform.
- All other costs not identified as allowable.
- Unreasonable amounts or rates.

4. Certification

By signing this Agreement, Recipient hereby certifies that all funds received pursuant to this Agreement shall be spent exclusively for its CalAPP project in compliance with this Agreement. The Recipient further certifies that it shall comply with all applicable laws in performing this Agreement.

5. Nondiscrimination Statement of Compliance

During the performance of this Agreement, the Recipient and its subcontractors will not unlawfully discriminate, harass, or allow harassment against any employee or applicant for employment because of sex, sexual orientation, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition, age, marital status, or denial of family care leave. The Recipient and its subcontractors will ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment.

The Recipient and its subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code Sections 12990 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 11000 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code Section 12990 (a-f), set forth in Chapter 5 of Division 4.1 of Title 2 of the California Code of Regulations, are incorporated into this Agreement by reference and made a part of it as if set forth in full. The Recipient and its subcontractors will give written notice of their obligations under this section to labor organizations with which they have a collective bargaining or other Agreement.

The Recipient shall include the nondiscrimination and compliance provisions of this section in all subcontracts to perform work under this Agreement.

6. Drug-Free Workplace Certification

By signing this Agreement, the Recipient certifies under penalty of perjury under the laws of the State of California that it will comply and will ensure its subcontractors will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.). In addition to any other rights and remedies available to the CEC, failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both, and the Recipient may be ineligible for any future state awards if the CEC determines that any of the following

has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements of the Act.

[By signing this Agreement, the Recipient certifies under penalty of perjury under the laws of the State of California that it will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code Section 8350 et seq.) and will provide a drug-free workplace by taking the following actions:

- 1) ~~Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited, and specifying actions to be taken against employees for violations as required by Government Code Section 8355(a).~~
- 2) ~~Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b) to inform employees about all of the following:~~
 - ~~The dangers of drug abuse in the workplace;~~
 - ~~The person's or organization's policy of maintaining a drug-free workplace;~~
 - ~~Any available counseling, rehabilitation, and employee assistance programs; and~~
 - ~~Penalties that may be imposed upon employees for drug abuse violations.~~
- 3) ~~Provide, as required by Government Code Section 8355(c), that every employee who works on the proposed project:~~
 - ~~Will receive a copy of the company's drug-free policy statement; and~~
 - ~~Will agree to abide by the terms of the company's statement as a condition of employment on the project.]~~

~~In addition to any other rights and remedies available to the CEC, failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both, and the Recipient may be ineligible for any future state awards if the CEC determines that any of the following has occurred: (1) the Recipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.~~

7. Americans With Disabilities Act

By signing this Agreement, the Recipient assures the CEC that it complies with the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. Section 12101, et seq.), which prohibits discrimination on the basis of disability, as well as applicable regulations and guidelines issued pursuant to the ADA.

8. Accounting and Audit

The Recipient will keep separate, complete, and correct accounting of the costs involved in completing the Agreement. The Recipient agrees that the CEC, the Bureau of State Audits, or their designated representative shall have the right to review and to copy any records and supporting documentation pertaining to the performance of this Agreement. The Recipient agrees to maintain such records for possible audit for a minimum of three (3) years after the Agreement ends in any way. The Recipient

agrees to allow the auditor(s) access to such records during normal business hours and to allow interviews of any employees who might reasonably have information related to such records. Further, the Recipient agrees to include a similar right of the CEC, the Bureau of State Audits, or their designated representative, to audit records and interview staff in any subcontract related to performance of this Agreement. These rights and responsibilities are in addition to and not restrictive of those in Section 16. Access to Sites and Records.

9. Public Works

The Recipient is responsible for complying with all applicable laws, which can include public works requirements under the Labor Code. Recipient acknowledges acceptance of Agreement funds may trigger public works laws (Labor Code Section 1720 et seq.), a requirement of which is to pay prevailing wages, applying to its entire project. If the project is public works then it is subject to compliance monitoring and enforcement by the Department of Industrial Relations. By signing this Agreement, Recipient certifies that it shall comply with all applicable Public Works laws and requirements.

10. Intellectual Property

As between the Recipient and the CEC, the Recipient owns all intellectual property it or its subcontractors create under this Agreement. The CEC has a no-cost, non-exclusive, transferable, irrevocable, royalty-free, worldwide, perpetual license to use, publish, translate, modify, and reproduce all intellectual property, such as the products identified in Section 2. above, for governmental purposes the Recipient or its subcontractors create under this agreement. The Recipient shall include a provision securing these rights for the CEC in all of its subcontractor agreements related to performance of this Agreement.

11. Amendment

No amendment or variation of this Agreement shall be valid unless made in writing and signed by both the Recipient and CEC.

12. Governing Law

This Agreement is governed by the laws of the State of California as to interpretation and performance.

13. Independent Capacity

In the performance of this Agreement, Recipient and its agents, subcontractors, and employees will act in an independent capacity and not as officers, employees, or agents of the CEC or the State of California.

14. Severability

If any provision of this Agreement is unenforceable or held to be unenforceable, all other provisions of this Agreement will remain in full force and effect.

15. Waiver

No waiver of any breach of this Agreement constitutes waiver of any other breach. All remedies in this Agreement will be taken and construed as cumulative, meaning in addition to every other remedy provided in the Agreement or by law.

16. Access to Sites and Records

The Recipient shall provide during the Agreement and for at least 3 years after the Agreement ends in any way to the CEC or its representatives reasonable access to all project sites and to all records related to this Agreement. These rights and responsibilities are in addition to and not restrictive of those in Section 8. Accounting and Audit.

17. Termination Without Cause

The CEC may terminate this Agreement without cause upon giving written notice to the Recipient. In this event, the Recipient will use all reasonable efforts to mitigate its expenses and obligations.

18. Third-Party Beneficiary

The Recipient shall in every subcontract under this Agreement include a provision indicating the CEC is a third-party beneficiary to the agreement.

19. Survival of Terms

The following terms survive this Agreement no matter how the agreement ends, such as by its own terms or via termination:

- 8. Accounting and Audit
- 9. Public Works
- 10. Intellectual Property
- 12. Governing Law
- 14. Severability
- 15. Waiver
- 16. Access to Sites and Records
- 18. Third-Party Beneficiary

Exhibit C CONTACT LIST

California Energy Commission	Recipient
<p>Commission Agreement Manager:</p> <p>Adam Van Winkle California Energy Commission 715 P Street, MS-45 Sacramento, CA 95814 Phone: (916) 891-9060 e-mail: adam.vanwinkle@energy.ca.gov</p>	<p>Project Manager:</p> <p>James Zhan Department of Building Inspection 49 South Van Ness San Francisco, CA 94102 Phone: (628) 652-3712 e-mail: james.zhan@sfgov.org</p>
<p>Confidential Deliverables/Products</p> <p>California Energy Commission Contracts, Grants, and Loans Officer 715 P Street MS-18 Sacramento, CA 95814</p>	<p>Administrator:</p> <p>James Zhan Department of Building Inspection 49 South Van Ness San Francisco, CA 94102 Phone: (628) 652-3712 e-mail: james.zhan@sfgov.org</p>
<p>Invoices, Progress Reports and Non-Confidential Deliverables to:</p> <p>California Energy Commission Accounting Officer 715 P Street MS-2 Sacramento, CA 95814</p> <p>Email PDF of Payment Request invoice packet to: invoices@energy.ca.gov</p>	<p>Accounting Officer:</p> <p>Jane Sun Department of Building Inspection 49 South Van Ness San Francisco, CA 94102 Phone: (628) 652-3553 e-mail: jane.sun@sfgov.org</p>
<p>Legal Notices:</p> <p>Tatyana Yakshina Grants Manager 715 P Street MS-18 Sacramento, CA 95814 Phone: (916) 827-9294 e-mail: tatyana.yakshina@energy.ca.gov</p>	<p>Recipient Legal Notices:</p> <p>Junko Laxamana Department of Building Inspection 49 South Van Ness San Francisco, CA 94102 Phone: (628) 652-3527 e-mail: junko.laxamana@sfgov.org</p>

**ATTACHMENT 01
Grant Application Form – EXHIBIT A**

California Automated Permit Processing (CalAPP) Program

1. APPLICANT INFORMATION (REQUIRED)

Jurisdiction Name (please use full legal name as it would appear on the executed grant):
City and County of San Francisco

Jurisdiction Type (select one):

City

County

City and County

Current Estimated Population [State of California Department of Finance Demographics](https://dof.ca.gov/forecasting/Demographics/)
(<https://dof.ca.gov/forecasting/Demographics/>):

Less than 50,000

From 100,000 to 200,000

From 50,000 to 99,999

Greater than 200,000

Project Manager <i>(serves as point of contact for all communications)</i>	Name	James Zhan
	Street Address	49 South Van Ness
	City and Zip Code	San Francisco 94103
	Phone Number	(628) 652-3712
	E-Mail Address	james.zhan@sfgov.org

2. FUNDING (REQUIRED)

Assigned Maximum Grant Amount (select one)

Group 1 (\$40,000): Population less than 50,000

Group 2 (\$60,000): Population from 50,000 to 99,999

Group 3 (\$80,000): Population from 100,000 to 200,000

Group 4 (\$100,000): Population greater than 200,000

3. PROJECT INFORMATION (REQUIRED)

A. Online, automated solar permitting platform to be adopted:

SolarAPP+

Other. If selected, complete Section 4 ("Additional Information")

B. Please select allowable budget item(s) anticipated to be used (Select at least one):

Ongoing in-house staff labor costs associated directly with adoption and maintenance of the platform

Ongoing third-party or consultant time associated directly with adoption and maintenance of the platform

Ongoing staff training and education, specific to the platform

Ongoing training events for local installers, specific to the platform

Essential hardware or equipment necessary to support adoption of the platform

Maintenance, such as adding support for energy storage paired with solar energy system permitting, and subscription cost for permit tracking software in support of adopted permitting platform

C. Estimated Project Timeline*

*Enter actual dates if activities already began

Activity	Date (Month/Year)
Begin Development/Pilot	February 9, 2023
Full Adoption	September 30, 2023
Staff Training	February 9, 2023
Training for Local Installers	February 9, 2023

4. ADDITIONAL INFORMATION (if applicable)

NOTE: Only complete this section if you implement a platform other than SolarAPP+

Please identify whether the following features are supported by the implemented platform. All features are required for the platform to qualify for funding. CEC staff will verify prior to payment approval.


Performs an automated plan review for residential solar energy systems that completes automatic code compliance checks based on user inputs (such as a contractor), thereby enabling or otherwise issuing permits instantly when the project is confirmed as code compliant, without the need for human review	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Supports online, immediate fee payment once an application is complete, which may include auto-invoicing of permit fee costs	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Supports immediate generation of a permit job card following payment confirmation	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Blocks noncompliant applications from receiving a permit	<input type="checkbox"/> Yes	<input type="checkbox"/> No
EITHER: 1) Stand-alone permitting tool; OR 2) Integrates with current software and inspection platform already in use	<input type="checkbox"/> Yes	<input type="checkbox"/> No

5. REPORTING (REQUIRED)

Following adoption and verification of a qualifying platform, the Energy Commission may request, and the Recipient will provide if requested, annual data on the number of permits issued for solar energy systems and a solar energy system paired with an energy storage system including relevant characteristics of those systems, such as system capacity. Please indicate your acceptance of these terms.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
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6. CERTIFICATION (REQUIRED)

- I am authorized to complete and sign this form on behalf of the applicant.
- I authorize the California Energy Commission to make any inquiries necessary to verify the information presented in this application.
- I have read and understand the terms and conditions contained in this solicitation. I accept the terms and conditions contained in this solicitation on behalf of the applicant, and the applicant is willing to enter into an agreement with the Energy Commission to conduct the proposed project according to the terms and conditions without negotiation.
- I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Name of Authorized Representative:	James Zhan
Title:	Senior Engineer & Specialty Review Manager
Phone Number:	(628) 652-3712
E-mail Address:	james.zhan@sfgov.org
Date:	February 9, 2023
Signature of Authorized Representative:	

NOTE: Do not overlap signature with surrounding border lines.



TO: Board of Supervisors Budget & Finance Committee

DATE: October 20, 2023

SUBJECT: Accept and Expend Grant – Retroactive – California Energy Commission – California Automated Permit Processing (CalAPP) Program - \$100,000

The Department of Building Inspection (DBI) is submitting a retroactive resolution for a grant in the amount of \$100,000 from the California Energy Commission (CEC) for costs associated with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, to comply with State mandated real-time permitting for solar energy and storage systems by September 30, 2023.

DBI submitted the grant application to the CEC on February 9, 2023 and received notification of the award on June 5, 2023. The CEC required the award agreement be finalized and signed by both the CEC and DBI by June 30, 2023 to ensure funding that was approved in the State budget in fiscal year 2022-23.

Upon receiving the award agreement, DBI prepared the grant budget and legislative packet, which were submitted to Controller's Office for review and approval on September 7, 2023. The Controller's Office requested corrections to the resolution and supporting documents, and the revised resolution and supporting documents were submitted to the Mayor's Office for review and approval on October 12, 2023.

DBI respectfully requests retroactive approval to accept and expend the CEC grant.

From: [Nicita, Carl \(DBI\)](#)
To: [Chan, Connie \(BOS\)](#); [Mandelman, Rafael \(BOS\)](#); [Safai, Ahsha \(BOS\)](#)
Cc: [Jalipa, Brent \(BOS\)](#); [Hsieh, Frances \(BOS\)](#); [Hajee, Zahra \(BOS\)](#); [Chung, Lauren \(BOS\)](#); [Gasparac, Christine \(DBI\)](#); [O'Riordan, Patrick \(DBI\)](#)
Subject: Jan. 10 Budget & Finance Committee -- DBI items
Date: Friday, January 5, 2024 2:21:37 PM

Good afternoon, Supervisors Chan, Mandelman and Safai –

The Department of Building Inspection (DBI) will request approval for two items at the January 10 Budget & Finance Committee meeting. A brief description of each item is below. Please let us know if you have questions or if you'd like to meet and discuss either of these items before the committee meeting next week.

- [File 231118](#) - Accept and Expend Grant - Retroactive - California Energy Commission - California Automated Permit Processing Program - \$100,000: Resolution retroactively authorizing DBI to accept and expend a grant in the amount of \$100,000 from the California Energy Commission for participation in the California Automated Permit Processing Program and for costs associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023, through May 31, 2027.
 - **Description:** The California Energy Commission (CEC) has agreed to fund DBI in the amount of \$100,000 for costs associated directly with the adoption and maintenance of SolarAPP+, which performs plan review for residential solar energy systems through automatic code compliance checks and issues permits instantly when the project is confirmed as code compliant, without the need for human review. The CEC grant funding will support ongoing staff training and education specific to SolarAPP+, essential hardware or equipment necessary to support adoption of SolarAPP+, and platform maintenance.
 - **Reason for Retroactive Request:** DBI submitted the grant application to the CEC on February 9, 2023 and received notification of the award on June 5, 2023. The CEC required the award agreement be finalized and signed by both the CEC and DBI by June 30, 2023 to ensure funding that was approved in the State budget in fiscal year 2022-23. Upon receiving the award agreement, DBI prepared the grant budget and legislative packet, which were submitted to Controller's Office for review and approval on September 7, 2023. The Controller's Office requested corrections to the resolution and supporting documents, and the revised resolution and supporting documents were submitted to the Mayor's Office for review and approval on October 12, 2023.

- [File 230862](#) - Building Code - Vacant or Abandoned Commercial Storefronts Registration and Fee Suspension: Ordinance amending the Building Code to temporarily suspend the annual registration requirement and registration fee for vacant or abandoned commercial storefronts through December 31, 2024.
 - **Description:** The ordinance would temporarily suspend the vacant commercial storefront registration, fee and annual report requirements for one year, from January 1, 2024 through December 31, 2024, with the goal of providing temporary

relief to property owners given the high number of commercial storefront vacancies in recent years and the economic conditions making it difficult to fill vacant spaces. The ordinance would not suspend anti-blight requirements including sign posting, maintenance, security and insurance, nor would it suspend NOVs and enforcement for public nuisance for failure to comply with those requirements. DBI staff would use the suspension period to create a better data-capture and reporting system based on the department's existing list of vacant commercial storefronts.

Thank you for your consideration of these items.

Carl

Carl Nicita
Legislative Affairs Manager

Department of Building Inspection

(628) 652-3536

[SF.gov/DBI](https://www.sf.gov/dbi)

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TO: Angela Calvillo, Clerk of the Board of Supervisors
FROM: Carl Nicita, Department of Building Inspection
DATE: September 21, 2023
SUBJECT: Accept and Expend Resolution for Subject Grant
GRANT TITLE: California Energy Commission – California Automated Permit Processing (CalAPP) Program

Attached please find the original* and 1 copy of each of the following:

- X Proposed grant resolution; original* signed by Department, Mayor, Controller
- X Grant information form, including disability checklist
- X Grant budget
- X Grant application
- X Grant award letter from funding agency
- NA Ethics Form 126 (if applicable)
- NA Contracts, Leases/Agreements (if applicable)
- NA Other (Explain):

Special Timeline Requirements:

None

Departmental representative to receive a copy of the adopted resolution:

Name: Carl Nicita Phone: (628) 652-3536

Interoffice Mail Address: 49 South Van Ness, 5th Floor

Certified copy required Yes

No

(Note: certified copies have the seal of the City/County affixed and are occasionally required by funding agencies. In most cases ordinary copies without the seal are sufficient).

From: [Conine-Nakano, Susanna \(MYR\)](#)
To: [BOS Legislation, \(BOS\)](#)
Cc: [Paulino, Tom \(MYR\)](#); [Nicita, Carl \(DBI\)](#)
Subject: Mayor -- Resolution --CalAPP Program
Date: Tuesday, October 24, 2023 4:57:39 PM
Attachments: [Mayor -- Resolution --CalAPP Program.zip](#)

Hello Clerks,

Attached for introduction to the Board of Supervisors is a Resolution retroactively authorizing the Department of Building Inspection to accept and expend a grant in the amount of \$100,000 from the California Energy Commission for costs associated directly with the adoption and maintenance of SolarAPP+, an online, automated solar permitting platform, for the period of September 1, 2023 through May 31, 2027.

Best,
Susanna

Susanna Conine-Nakano
Office of Mayor London N. Breed
City & County of San Francisco
1 Dr. Carlton B. Goodlett Place, Room 200
San Francisco, CA 94102
415-554-6147