



BOARD OF DIRECTORS MEETING

May 2, 2023 * 1503 GARNET AVE

AGENDA

1. **Introductions**
Sign in
2. **Public Comment/Non Agenda Announcements**
Limited to 2 minutes on any non agenda items, items may be referred to committees or future agenda item
3. **Additions to Agenda (3 minutes)** **Info Item**
Items will be added to a future agenda
4. **Political Representative's Reports (10 minutes)** **Info Item**
District 1 – 77th Assembly District- Mariah Kallhoff
Mayor's Office- Emily Piatanesi Senate District 39 - Jason Weisz
County Supervisor – Meghan Elledge-LeVota 52nd District- Cesar Solis
Economic Development – Latrell Crenshaw
5. **Spin Scooters - Marshall Anderson & Justin Stehlin** **Info Item**
6. **President's Report (3 minutes)** **Info Item**
 - a) **Restaurant Walk – May 17, 2023 – 4:00 p.m.**
 - b) **Discovering Fitness in PB – May 19, 2023 – 4:30 p.m.**
 - c) **Community Mixer – June 1, 2023 – 5:30 p.m.**
7. **Community Partners Reports (3 mins each)** **Info Item**
 - a) PB Tuesday Farmers' Market
 - b) PB Town Council
 - c) PB Woman's Club
 - d) Garnet Block Captains
 - e) PB Planning Group
 - f) Beautiful PB
8. **Previous Board Meeting Minutes Approval: (3 mins)**
 - a) **Approval of the March 7, 2023 Meeting Minutes** **Action Item**
 - b) **Approval of the April 7, 2023 Meeting Minutes** **Action Item**
9. **Financial Report (3 mins)** **Action Item**
Review and approve the financials of March 2023
10. **Committee Reports (30 mins)**
 - a) **Organization Committee** **Action Item**
 - o Board Vacancies (1 open seat)
 - o BACC
 - o Vendor Contract RFP – Street Cleaning Services
 - o Special Events Committee Representative
 - b) **Promotions Committee** **Info Item**
Update
 - o Sponsorship Strategy
 - Case for support – language for seeking sponsorships
 - c) **Hospitality Committee** **Action Item**
Update – Self-defense class
11. **CEO REPORT- Lee** **Info Item**
 - a) **BeachFest – Update**
 - b) **DEFINITION: Discover Pacific Beach Mission**
 - i. To revitalize and promote the Pacific Beach community physically and economically.
 - c) **Board Member Question – activity**
12. **Adjourn**

THIS INFORMATION IS AVAILABLE IN ALTERNATIVE FORMATS UPON REQUEST.

To request an alternative format, or to request a sign language or oral interpreter for the meeting, please contact the Meeting Coordinator at least five (5) working days before the meeting at (858) 273-3303 to ensure availability. Assistive Listening Devices (ALDs) are available for the meeting upon request.



BOARD OF DIRECTORS MEETING
April 4, 2023 * 1503 GARNET AVE
Minutes

1. Introductions

Sign in: Lisa G., Kate M., Christina C., Carrie S., Joe B., Christine L., Carina G., Joel V., Mike H., Jessica T., Kayla S., Mariah K., Lori L., Samara G., Margy G., Sam J., Eric M., Leslie D., Grant C., Wilber L., Randall E., Sunny L., Vanessa B.

2. Public Comment/Non Agenda Announcements

Leslie D- Talked about Art Allies other BID's run and is interested in having a similar art program in PB.

3. Additions to Agenda (3 minutes)

None

Info Item

4. Political Representative's Reports (10 minutes)

- o District 1 – Carrie Shah: Recap of Town Hall last month, will be at the Tuesday PB Farmers Market once a month available to connect and answer questions
- o 77th Assembly District- Mariah Kallhoff: Currently in spring recess, always available to support with any State related issues

Economic Development – Latrell Crenshaw: ED's non-profit partners are being offered opportunities to attend fundraising workshops at no cost. They encourage staff members and board members to attend. It's a great resource being provided this year.

Officer Jessica Thrift: Provided information about the importance of submitting Letters of Agency how to apply and renew. They have a one-year expiration.

Info Item

5. President's Report (3 minutes)

- a) Casino Night Annual Dinner and Awards – Recap
 - i. Community Partner Award – Katie Matchett, Beautiful PB: Awards was presented at meeting
- b) Self Defense Workshop – April 19 – 11AM

Info Item

6. Community Partners Reports (3 mins each)

- a) PB Tuesday Farmers' Market- Restaurant Tickets will be sold at market beginning next week.
- b) PB Town Council- Clean up graffiti this Saturday meet on Cass St.
- c) Beautiful PB- Talked about Our Neighbor Died Here Campaign, how it brings awareness and encourages people to advocate for safer street by calling a local representative. May 18th is Bike Anywhere Day

Info Item

7. Previous Board Meeting Minutes Approval: (3 mins)

- a) Approval of the March 7, 2023 Meeting Minutes
Tabled

Action Item

8. Financial Report (3 mins)

Review and approve the financials of February 2023

Action Item

Kayla made motion to approve the financials of February 2023, Lisa seconded motion, unanimous approval.

9. Committee Reports (30 mins)

a) Organization Committee

- o Board Vacancies (1 open seat)

Info Item

b) Promotions Committee

Update –

- Sponsorship Strategy
 - o Annual Dinner – update
 - o Coast of PB Restaurant Walk Goal – \$2,000
 - o BeachFest Goal - \$45,000

Info Item

c) Hospitality Committee

Update

10. CEO REPORT- Lee

Info Item

- a) West Coast Urban District Forum – Update

- b) **Board Member Question – activity**
- c) **DEFINITION: Discover Pacific Beach Board Member**

11. Adjourn 12:57 p.m.

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Discover Pacific Beach
Balance Sheet
As of March 31, 2023

	Mar 31, 23	Mar 31, 22	\$ Change	% Change
ASSETS				
Current Assets				
Checking/Savings				
1000 · Discover PB Operating (4991)				
1002 · Discover PB - Special Projects	122,575	122,575	0	0%
1001 · Discover PB Savings	9,913	9,913	0	0%
1000 · Discover PB Operating (4991) - Other	(105,450)	(112,021)	6,571	6%
Total 1000 · Discover PB Operating (4991)	27,038	20,467	6,571	32%
1008 · Paypal	167	6,750	(6,583)	(98%)
1009 · Paypal - BACC	963	278	685	246%
1006 · Farmers Market # 6739	62,900	157,705	(94,805)	(60%)
1025 · Merrill Lynch	113,147	110,774	2,373	2%
1030 · Petty Cash	0	2,045	(2,045)	(100%)
Total Checking/Savings	204,215	298,019	(93,804)	(31%)
Accounts Receivable				
1200 · Accounts Receivable	4,242	20,058	(15,816)	(79%)
1210 · Hospitality Task Force A/R	0	1,200	(1,200)	(100%)
Total Accounts Receivable	4,242	21,258	(17,016)	(80%)
Other Current Assets				
Deposit - Rent	1,450	1,450	0	0%
Total Other Current Assets	1,450	1,450	0	0%
Total Current Assets	209,907	320,727	(110,820)	(35%)
Fixed Assets				
Furniture & Equipment	16,734	16,734	0	0%
Leasehold Improvements	49,388	49,388	0	0%
Accumulated Depreciation	(13,013)	(13,013)	0	0%
Accumulated Amortization	(49,388)	(49,388)	0	0%
Total Fixed Assets	3,721	3,721	0	0%
Other Assets				
Clearing Account	1,131	(66)	1,197	1,814%
Total Other Assets	1,131	(66)	1,197	1,814%
TOTAL ASSETS	214,759	324,382	(109,623)	(34%)
LIABILITIES & EQUITY				
Liabilities				
Current Liabilities				
Accounts Payable				
2020 · AP Farmers Market	1,684	2,966	(1,282)	(43%)
2000 · Accounts Payable	8,737	9,161	(424)	(5%)
Total Accounts Payable	10,421	12,127	(1,706)	(14%)
Credit Cards				
US Bank	100	0	100	100%
Total Credit Cards	100	0	100	100%
Other Current Liabilities				
Deferred Farmer's Market Rent	0	4,425	(4,425)	(100%)
Deferred Income SBEP	14,782	0	14,782	100%

Discover Pacific Beach
Balance Sheet
 As of March 31, 2023

	Mar 31, 23	Mar 31, 22	\$ Change	% Change
2100 · Payroll Liabilities	216	0	216	100%
Total Other Current Liabilities	14,998	4,425	10,573	239%
Total Current Liabilities	25,519	16,552	8,967	54%
Total Liabilities	25,519	16,552	8,967	54%
Equity				
1110 · Retained Earnings	281,626	215,346	66,280	31%
3000 · Opening Bal Equity	35,423	35,423	0	0%
Net Income	(127,806)	57,062	(184,868)	(324%)
Total Equity	189,243	307,831	(118,588)	(39%)
TOTAL LIABILITIES & EQUITY	214,762	324,383	(109,621)	(34%)

Discover Pacific Beach
Profit & Loss
March 2023

	Mar 23	Mar 22	Jul '22 - Mar 23
Ordinary Income/Expense			
Income			
4430 · Clean and Safe Program			
Lord of the Wings	0	0	200
4430 · Clean and Safe Program - Other	20	2,250	5,772
Total 4430 · Clean and Safe Program	20	2,250	5,972
4110 · Grants	0	0	4,525
4115 · Beach Area Community Court	1,000	240	6,112
4120 · SBEP	0	2,720	23,069
4220 · BID	17,793	14,500	117,204
4230 · Public Right of Way	0	0	(100)
4300 · Special Events			
4310 · Annual Dinner			
4311 · Silent Auction	975	2,122	975
4312 · Raffle	1,413	960	1,413
4313 · Ticket Sales	2,025	8,705	11,775
Total 4310 · Annual Dinner	4,413	11,787	14,163
4370 · Heart of PB Rest Walk	0	120	7,340
4375 · Christmas on Crystal Pier	0	0	2,650
4376 · Holiday Parade	8,673	1,500	14,108
Total 4300 · Special Events	13,086	13,407	38,261
4320 · Beachfest			
Beer Cup	0	0	300
Action Sports	0	0	3,000
Artist Booth	300	0	8,400
Beer Garden	0	0	21,103
Consessions	0	0	460
Fish Taco Challenge	0	0	8,494
Food booth	0	0	1,500
Merchant Booth	0	0	6,825
Sponsors	0	0	12,200
Total 4320 · Beachfest	300	0	62,282
4400 · Other Income			
4460 · Merchandise	80	0	350
4470 · Miscellaneous Income	100	324	1,910
Total 4400 · Other Income	180	324	2,260
4410 · Banner District	675	0	13,725
4480 · Promotions-Business Devel	0	0	2,327
4510 · Farmers Market	15,697	16,554	131,525
7010 · Interest Income	374	4	2,301
Total Income	49,125	49,999	409,463
Gross Profit	49,125	49,999	409,463
Expense			
Legal Fees	0	0	1,500
6100 · Operating			
Payroll Expenses	0	0	160

Discover Pacific Beach
Profit & Loss
March 2023

	Mar 23	Mar 22	Jul '22 - Mar 23
6105 · Auto Expense	250	500	2,531
6110 · Bank Fees-CC/LF/Service	459	768	6,096
6120 · Building Repairs / Maint			
6121 · Flood Expenses	0	2,269	3,977
Total 6120 · Building Repairs / Maint	0	2,269	3,977
6135 · Insurance-Liability	0	0	14,006
6155 · Meals	437	60	1,016
6156 · Training and Conferences	785	725	1,709
6160 · Office Supplies/Equip	100	84	5,107
6170 · Postage and Delivery	0	0	129
6175 · Printing and Reproduction	276	281	2,400
6180 · Rent	3,025	0	18,150
6182 · Tax-Business	0	0	180
6185 · Telephone-Cell/Office	425	136	2,972
6190 · Utilities-GEW/Sanitation/Refuse	868	1,461	7,464
6195 · Payroll Expense			
Staff-Executive Director	7,175	6,667	65,761
Staff-Admin Support	7,537	5,673	66,010
Employer Tax	1,523	1,155	14,156
Processing Fee	21	18	358
Insurance-Health	850	350	7,650
Insurance-Work Comp	0	0	924
Total 6195 · Payroll Expense	17,106	13,863	154,859
6199 · Miscellaneous	0	0	2,490
6205 · Accounting	1,125	1,235	17,013
6225 · Dues and Subscriptions	0	75	325
Total 6100 · Operating	24,856	21,457	240,584
6300 · Design & Improvements			
6323 · Clean and Safe Program			
Lord of the Wings	0	0	25
6323 · Clean and Safe Program - Other	6,715	6,240	57,810
Total 6323 · Clean and Safe Program	6,715	6,240	57,835
6305 · Banner	0	0	9,539
6310 · Beach area community court	45	11	779
6315 · Farmers Market Expenses			
6315-01 · FM - Wages	4,457	2,711	40,127
6315 · Farmers Market Expenses - Other	959	3,068	31,928
Total 6315 · Farmers Market Expenses	5,416	5,779	72,055
6325 · Design other	0	0	269
6340 · Tree/Garden/ Maintenance	0	0	527
Total 6300 · Design & Improvements	12,176	12,030	141,004
6500 · Special Events Promotions			
6210 · Annual Dinner	9,097	7,107	11,372
6515 · Coast Walk	148	0	148
6519 · Christmas on Crystal Pier	0	0	7,426
6520 · Holiday Parade	0	380	11,417

Discover Pacific Beach
Profit & Loss
March 2023

	Mar 23	Mar 22	Jul '22 - Mar 23
6540 · Heart Walk	0	0	655
6510 · Beachfest			
Beer Garden	0	0	13,362
City & County Fees	0	0	10,851
Entertainment	0	0	3,050
Equipment Rental	0	0	34,675
Fish Taco Challenge	0	0	238
Kids	0	0	2,125
Marketing / Printing	0	0	4,014
Professional Orgainzers	0	0	18,229
Staging	0	0	19,179
Supplies and Misc.	0	0	7,109
Total 6510 · Beachfest	0	0	112,832
Total 6500 · Special Events Promotions	9,245	7,487	143,850
6600 · Outreach			
6220 · Contributions	0	450	3,300
6235 · Election	0	0	1,734
6505 · Advertising - Marketing	495	495	734
6615 · Business Development	0	50	1,268
6650 · Newsletter	195	195	1,755
6651 · Marketing & Promotions	0	0	1,540
Total 6600 · Outreach	690	1,190	10,331
Total Expense	46,967	42,164	537,269
Net Ordinary Income	2,158	7,835	(127,806)
Net Income	2,158	7,835	(127,806)

Discover Pacific Beach A/R Aging Summary

As of March 31, 2023

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
Ecology Center	1,052		2,782			3,834
The Hideout Bar & Grill					408	408
TOTAL	1,052		2,782		408	4,242

Discover Pacific Beach A/P Aging Summary

As of March 31, 2023

	Current	1 - 30	31 - 60	61 - 90	> 90	TOTAL
AT&T	0	249	0	0	0	249
BonJour	114	0	0	0	0	114
Classic Beverage	0	0	0	0	-570	-570
Da-Le Ranch	184	0	0	0	0	184
EDCO Disposal Corporation	868	0	0	0	0	868
Fuel Thy Cells	44	0	0	0	0	44
Gaston Greens	54	0	0	0	0	54
Gilbert Quintos	71	0	0	0	0	71
Herritage Family Farms	99	0	0	0	0	99
Jackie Bernal	110	0	0	0	0	110
MP Family Farm	410	0	0	0	0	410
North Shore Printery	239	0	0	0	0	239
Safiros Sanitation	708	0	0	0	0	708
SG Bookkeeping Services, LLC	1,125	0	0	0	0	1,125
Valdez Landscaping Services	6,715	0	0	0	0	6,715
TOTAL	10,741	249	0	0	-570	10,420

Request for Quote of Services
Discover Pacific Beach Clean PB Program

Released 5/3/2023

Due May 26, 2023

Discover Pacific Beach (henceforth also known as DPB) is enhancing its cleaning program to a clean and safe program that targets the Pacific Beach Business District area to ensure a basic level of cleanliness and sidewalk improvement to a highly trafficked area as well as eyes and ears on the street, homeless outreach, and opportunity. Discover Pacific Beach is seeking a preferred cleaning vendor for its general cleaning program.

If this program is of interest, please quote on the following items.

Scope of Work

General Program:

- 4 days per week which will include one weekend day (Saturday) DPB and the contractor will determine exact deployment schedules, and schedules may change depending on the needs of the district.
- The Street Team operates within the Business Improvement District boundaries.
- Area of Work includes: Primarily 18 Block area from Mission Blvd to Ingraham St along Garnet Ave. and portions of Cass St, Bayard St. and Mission Blvd from Grand Ave to Felspar St. Various areas as agreed upon by Provider and DPB within the Pacific Beach Business Improvement District may also be necessary.

Scope of Work

- Perform detail sidewalk sweeping and remove all litter from sidewalks, right-of-ways, curbs, and gutters in front of businesses only.
- Empty Pacific Beach trash receptacles (approx. 36)
- All trash liners will be removed and replaced from the district and disposed in the container provided by the sponsor. On some occasion will be required to remove large items and haul to landfill
- Removing any temporary signage including playbills, fliers, or political signage on public structures.
- Maintaining trash receptacles, and light graffiti removal on public structures as needed.
- Provider will maintain all Pacific Beach tree wells, planters, weeds growing in sidewalk cracks that lead to the public right-of-ways from the project locations.
- Informing DPB and logging repair needs in the district
- Tracking and collecting pertinent data with DPB provided system.
- Provide referral resources to local homeless and transient populations as needed. Referral list will be provided by DPB
- Work with other related service providers, including without limitation our safety ambassador team.
- Vendor must provide the necessary equipment and supplies to complete tasks.

Proposal Evaluation Criteria:

Proposals received will be evaluated per the following criteria.

- Past Performance:
 - Responses from References.
 - Demonstrated ability to deliver services requested.
 - Experience working with BIDs or comparable City/Community agencies working in the Public Right of Way (PROW).

- Price: Competitive fees and rates. Prices that are significantly lower than the competitive range may be considered as an indication of a misunderstanding of the scope of work, and not considered.
- Ability to meet insurance requirements.
- City of San Diego Small Local Business Enterprises (SLBE), Emerging Local Business Enterprises (ELBE), California Disadvantaged Business Enterprise (DBE) and Disabled Veteran Business Enterprises (DVBE) will be given a 5% cost credit for purposes of evaluating price.
- Locality of business main office and employees. A 5% cost credit will be given to companies who have a 92109 office (excluding mailing address) or can demonstrate that three or more staff are 92109 residents for purposes of evaluating price.

Discover Pacific Beach reserves the right to enter into additional contracts with a preferred vendor for cleaning services.

All responses shall be submitted via email and must be received no later than **5:00pm on May 26th sent to sunny@pacificbeach.org**

Terms and Conditions: The issuance of this RFP does not commit Discover Pacific Beach to award a contract, to pay any cost incurred in the preparation of a response to this request, or to procure a contract for services. All respondents should note that the execution of any contract pursuant to this RFP is dependent upon the approval of the BID Board of Directors. DPB retains the right to reject all submittals. Selection is also dependent upon the negotiation of a mutually acceptable contract with the successful respondent. Each submittal shall be valid for not less than ninety (90) days from the date of receipt. Any contracts awarded as a result of this request will be effective **July 1st 2023 through June 30th 2024**

Contract Extension:

At the sole discretion of Discover Pacific Beach, any resulting contract may be extended on a year-to-year basis; however, in no case shall the renewal extend beyond five years from the date of award of the original contract.

Insurance: The firm(s) selected to perform the work described in this RFP will be required to provide:

Liability Insurance. The Contractor shall maintain throughout the period of this contract Commercial General Liability (CGL) and commercial umbrella insurance (if applicable to meet minimum limit requirement) with a limit of not less than \$1 million (\$1,000,000) per occurrence with \$2 million (\$2,000,000) in general aggregate. CGL insurance shall be written on the most current version of ISO occurrence form CG 00 01 or a substitute form providing equivalent coverage, and shall cover liability arising from premises, operations, independent Contractors, products/complete operations, personal injury and advertising injury, and liability assumed under an insured contract (including the tort liability of another assumed in a business contract). Any endorsements that restrict coverage will be submitted to DPB for review. DPB and the City of San Diego and its respective elected officials, officers, employees, agents and representatives shall be included as an insured under the CGL, using ISO additional insured endorsement CG 2010 11/85 or a substitute providing equivalent coverage acceptable to DPB, and under the commercial umbrella, if any. This insurance shall apply as primary insurance with respect to any other insurance self-insurance programs afforded to DPB. Contractor waives all rights against DPB and the City of San Diego and its respective elected officials, officers, employees, for

recovery of damages to the extent these damages are covered by the commercial general liability or commercial umbrella liability insurance maintained pursuant to this Section.

Other Insurance. Contractor shall maintain business auto liability and commercial umbrella liability insurance (if applicable to meet minimum requirement) with a limit of not less than \$1 million (\$1,000,000) combined single limit (CSL). Such insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Business auto coverage shall be written on ISO form CA 00 01 or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01. Contractor waives all rights against DPB and its agents, officers, directors, and employees for recovery of damages to the extent these damages are covered by the business auto liability or commercial umbrella liability insurance obtained pursuant to this Section.

Worker's Compensation Insurance. Contractor shall maintain worker's compensation and employer's liability insurance. The Employer's Liability Limits shall not be less than \$1 million (\$1,000,000) each accident for bodily injury by accident or \$1 million (\$1,000,000) each employee for bodily injury by disease. Contractor waives all rights against DPB and the City of San Diego and their respective elected officials, officers, employees, agents, and representatives for recovery of damages to the extent these damages are covered by the worker's compensation and employer's liability insurance obtained pursuant to this Section. Contractor shall provide DPB with a waiver of right to recover from others endorsement, Workers Comp Form WC 04 03 06 (Ed. 4-84), or its equivalent.

Insurance Companies.

All insurance companies providing coverage shall be licensed to do business in the State of California, and have a minimum rating published by A.M. Best & Company of A-VII or better.

Indemnity and Hold Harmless:

All services in connection with this Agreement shall be at the risk of Contractor, exclusively. To the fullest extent allowed by law, Contractor shall indemnify, defend (with legal counsel reasonably satisfactory to DPB and the Board of Directors) and hold harmless the Indemnitees (defined below) from and against any and all Claims (as defined below). Contractor's obligation to defend and indemnify shall be triggered by the assertion of a Claim against any Indemnitee and shall apply whether or not the Contractor or any of the Contractor parties was negligent or otherwise at fault and whether or not the Claim has any merit. However, Contractor shall not be obligated under this Agreement to indemnify any Indemnitee for any Claims arising from the sole negligence or willful misconduct of that Indemnitee. Contractor's obligation shall also include Claims based on duties, obligations, or liabilities imposed on the Indemnitees by statute, ordinance, regulation, or other law. The indemnification obligation hereunder shall not be limited in any way by any limitation on the amount or type of damages, compensation, or benefits payable by or for Contractor or any Contractor Parties under works' or workman's compensation acts, disability benefit acts or other employee benefit acts. For purposes of this Section, (a) a "Claim" is any claim, demand, obligation, cause of action, damage, loss, liability, mechanic's lien, cost or expense (including, without limitation, attorney's fees and costs and other litigation, mediation, or judicial reference expenses) whether based on tort, contract, or equitable principles, in any way rising from or in any way connected with the performance or nonperformance of this Agreement by Contractor's or its employees, agents, independent contractors, suppliers, subcontractors, officers, directors, shareholders, representatives, affiliates,

successors or assigns (collectively, “Contractor Parties”), and (b) the “Indemnitees” are DPB and the City of San Diego and their respective elected officials, officers, employees, agents and representatives, its members, managers, shareholder, and affiliates, successors and assigns of all such parties.

Prevailing Wages: Subcontractor shall comply with SDMC section 22.3019 requiring compliance with California Labor Code sections 1720 through 1861 (State prevailing wage law) for any and all construction work performed or funded pursuant to this Agreement cumulatively exceeding \$25,000 and for any and all alteration, demolition, repair and maintenance work performed or funded pursuant to this Agreement cumulatively exceeding \$15,000. Pursuant to San Diego Municipal Code section 22.3019, construction work performed or funded pursuant to this Agreement cumulatively exceeding \$25,000 and alteration, demolition, repair and maintenance work performed or funded pursuant to this Agreement cumulatively exceeding \$15,000 is subject to the State of California prevailing wage law set forth in California Labor Code sections 1720 through 1861 (“**Prevailing Wage Law**”) and in performing or funding any and all such work, Subcontractor shall comply with Prevailing Wage Law. This requirement to comply with Prevailing Wage Law is in addition to any requirement to pay “living wage” pursuant to San Diego Municipal Code sections 22.4201 through 22.4245 (“**LWO**”) or this Agreement. If both Prevailing Wage Law and the LWO are applicable to particular work, Subcontractors must determine which per diem rate is highest for each classification of work between the applicable prevailing wage rate and living wage rate and pay the higher of the two rates to their employees. The LWO may apply to work that is not subject to Prevailing Wage Law.

Equal Opportunity Program Requirements: The City of San Diego and Discover Pacific Beach are strongly committed to equal opportunity in the solicitation of professional service consultants. To assure that consultants doing business with, or receiving funds from the City of San Diego, and Discover Pacific Beach are equal opportunity contractors and employers, Respondents shall comply with requirements of San Diego Ordinance No. 18173, section 27.2701 through 22.2708.

Nondiscrimination Policy:

The respondent shall not discriminate on the basis of race, gender, religion, national origin, ethnicity, sexual orientation, age, or disability in the solicitation, selection, hiring or treatment of employees, subcontractors, vendors, or suppliers.