



**UUFSD Board of Directors Meeting**  
**May 7, 2023**  
**Palmer Library 12:00 -3:18 pm**

**PRESENT:**

Angie Knappenberger, President  
Mary Anne Trause, Vice President  
Livia Walsh, Secretary  
Liora Kian-Gutierrez  
Cathy Leach-Phillips  
Andi McLeod

Reverend Ellie Kilpatrick, non-voting  
Sarah Miller, Treasurer, non-voting

Guests: Alisa Guralnick representing Endowment Committee; Susan Halm: Representing Nominating Committee

Chalice Lighting & Chalice Reading

Board Covenant

**Meeting Agenda:**

1. **Topic: Endowment Fund/Planned Giving** Alisa Guralnick  
(*Refer to Endowment Fund Appendices in these minutes*)
  - a) Approval of Endowment Grants  
Received more requests than the Committee determined they could grant. (ref. Endowment Grant Applications & Rationale)
  - b) \$500 was granted to the Board from the restricted Music Program Fund. The Board will vote on the specific use of these funds as they relate to music. For example, the funds can be used for music program salaries, music related materials and equipment. (ref. Memo to Board for Music Fund Grant)
  - c) Endowment Fund Proposed Bylaw Changes  
(ref. Endowment Fund ByLaw revision 2023; Endowment Fund Proposed ByLaw Changes Explanation)

**DECISION:** All agreed to accept the Endowment Committee's grant proposal

**DECISION:** All agreed to accept the Endowment Funds By Law changes

**ACTION:** At a future date the Board is to determine the use of the \$500 designated for the Music program..

**2. Topic: Nomination Committee (NOMCOM) Report (Susan Hahm)**

**The NOMCOM is nominating the following people to be on Board which will be voted on at the Congregational Meeting on June 11th:**

**Pam Parker and Julia Darling (3 year terms)**

**Nominated for Board Officers:**

**Mary Anne Trause, President: Andi McLeod, Vice President**

- There are 5 applicants for the Nominations Committee. The current committee will complete this process in the next few days and notify the Board of its decision.

**ACTION:** Susan to send to the Administrator the slates to be included in the newsletter notifying the congregation of the above nominations. **DONE**

**3. Topic: Approval of Minutes of April 25, 2023: Approved**

**4. Topic: Committee/Staff/Treasurer Reports**

- B&G – Authority to sign contract to paint Founders Hall (see Topic #5 )
- Dream Builders – Contract for Admin Building; new chair needed as of July 1.
- Safe Congregation – Application for ORI
- Staff: Administrator is requesting ½ days on Fri in summer.
  - Need more info re does she want to work remotely? Does she want these hours subtracted from her pay?

**ACTION:** Mary Anne to clarify with Denise the details of her request. Mary Anne to contact Alisa for HR consult and Dale for Personnel. **DONE**

**5. Topic: Can the Board President delegate the Chairperson of Building and Grounds to sign the contract to paint the Hall?**

**DISCUSSION:** In order to maintain transparency a paper trail needs to exist of when/whom the Board President approves and appoints a delegate to sign a contract.

**DECISION:** The paper trail can be the Minutes of the meeting in which the delegate is approved.

All agreed to approve that the Buildings and Grounds chairperson sign the contract to paint the Hall.

**6. Topic: Final Board Approved Budget for 2023-2024**

**DISCUSSION:** There is an approximate \$9000 surplus in this year's budget. At the Budget Forum presented today there was a request from the Communications chairperson

to add \$1000 to that committee's budget for the purpose of public relations/marketing; The Board requested an additional \$400 added to their budget for potential additional expenses; and due to increasing AV needs an additional \$3000 was added to that budget for maintenance of equipment and purchase of new equipment.

**DECISION:** All agreed to approve the proposed budget revisions.

**ACTION:** The Treasurer will make the relevant budgetary revisions which will be presented for a vote at the congregational meeting in June. **DONE**

**7. Topic: Policy regarding Office closure Christmas to New Year's**

**DISCUSSION:** As this policy is not specifically written in the Employee Manual it was proposed that the office is to be closed between Christmas and New Year's.

**DECISION:** All agreed to close the office between Christmas and new year and pay relevant staff for that week (specifically the Administrator).

**ACTION:** The Board President will notify Personnel to add this to the Employee Manual. **DONE**

**8. Topic: Waiver request from member Kevin Burchby to serve mixed drinks at his wedding to take place at UUFSD. (ref. Site Usage Agreement):**

**DISCUSSION:** While the document for the Site Use Agreement was available there was no information regarding who developed it or when. It is unclear why alcohol was limited to wine and beer versus all other forms of alcoholic beverages. It is important that Kevin provide UUFSD with the following documents: proof of the licensing certification of the professional bartender; certification from the Department of Alcohol/drugs to approve serving alcohol at the event; insurance document to cover liability at the event.

**DECISION:** All agree to offer the waiver.

**ACTION:** President to provide the Administrator with the Board's decision who will notify Kevin and inform him of the above listed requirements. **DONE**

**9. Topic: Formation of Committee on Ministry (COM)**

**DISCUSSION:** As Rev Ellie has not yet been approved for Full Fellowship by the UUA so she is required to establish a Committee on Ministry. The issue arose as to who should decide on members to be appointed to the COM, the Board the Minister or both or other? For the purpose of establishing guardrails the Minister proposed that she bring a slate of potential appointees to the Board for collaboration, discussion, and approval. Rev Ellie, who already has a few people she is considering, would like the Board's permission to

Speak with these members now to determine their interest. It was also noted that the COM will be required to develop a Policy and Procedure document.

**DECISION:** All agreed that there be collaboration between the Minister and the Board regarding appointing members to participate on the COM. The Board also agreed with Rev. Ellie's request to speak with those she is considering for the COM at this time. The Board requested that at the Board meeting on June 4<sup>th</sup> Rev Ellie present her plan for the structure and purpose of the COM as well as those she is considering appointing to it.

**ACTION:** Rev. Ellie to present her plan at the next board meeting. **DONE**

**10. Topic: Annual Meeting Agenda – June 11<sup>th</sup>.**

No specific discussion was held after the Board reviewed the proposed agenda.

**ACTION:** Secretary to pass out color index cards to voting members at the congregational meeting.

**11. Topic: Sandy Hill Update**

**DISCUSSION:** The Sandy Hill Board has requested a mold test at an estimated cost of \$299 for YRUU room. The Builders & Grounds chair and a Board member investigated the room for odors and actual viewed presence related to mold and found no evidence. However, there was an odor of urine identified. Sandy Hill also requested permission to install shade structures and fencing around that building which the Design Review Committee approved in terms of design plan. Sandy Hill requested a consultation with Dream Builders and Building & Grounds committees when it comes time for construction to establish safety and provide oversight.

It was also noted that clarification is needed around Sandy Hill communicating their issues with the Congregational Administrator who is their liaison with the Fellowship.

**DECISION:** The Administrator, who will introduce herself as the liaison for the Fellowship with Sandy Hill will be asked to write to the Director of Sandy Hill recommending that a member of the Dream Builders Committee and the Administrator do a walk-through of YRUU room along with the Director of Sandy Hill to determine what evidence there might be of the existence of mold. As Sandy Hill will cover the cost of the shading and fencing the Board approved that request.

**ACTION:** The Board President will ask the Administrator to directly speak with the Director of Sandy Hill to clarify the communication issue. She will also ask the Administrator to conduct a walk-through with the Director to ascertain evidence of mold in the YRUU room as well as to address the request for shade and fencing. **DONE**

**12. Topic: Proposal for Rev Ellie's New Contract to begin August 15<sup>th</sup> which supersedes by two weeks the current 2/3 time contract.**

**DECISION: All agreed**

**ACTION:** The Board President and Vice President will meet with Rev Ellie to develop her new contract. **DONE**

13. **Topic: Establishing a format for evaluation/feedback to Rev Elie; Develop and sign new contract.**

**ACTION:** In an executive session on May 9<sup>th</sup> 2:00-3:00 after the Governance discussion the Board will review Rev. Ellie's performance for this year following which the President and Vice President will meet with her to review. **DONE**

14. **Topic:** AV budget additions for maintenance and purchase of equipment.

**DISCUSSION:** Due to increased potential AV needs for equipment and repair of old equipment a proposal was made to increase the AV budget by \$3000.

**DECISION:** All Agreed to add \$3000 to budget for AV.

**ACTION:** The treasure will modify the budget to reflect the agreed upon change. **DONE**

## 15. Outstanding Action Items

### APPENDICES:

- **Committee, Staff, Treasurer Reports**
- **Financials: 2023-04-30 Profit & Loss Statement; 2023-04-30 Balance Sheet**
- **Endowment Fund Grant application recommendations and rationale**
- **Memo to the Board from Endowment Fund Committee - Music Fund Grant**
- **Planned Giving Committee proposed ByLaw changes**
- **Planned Giving Committee Bylaw change Explanations**
- **Initial proposal for Administration Building from Chris Kolb**
- **RFP to Doug Paterson**
- **ORI application**

**IMPORTANT UPCOMING DATES:**

**May 9th        Board Meeting on Governance 12:00- 2:00 pm   Library**

**May 9<sup>th</sup>        Executive Session 2:00-3:00 Library**

**May 31st       Mailing to congregation on Annual Meeting/Budget**

**June 4th        Board Meeting 11:30 am   Library**

**June 11th      Congregational Meeting 11:30 am, Founders Hall/Amphitheater**

## **UUFSD Committee, Staff & Treasury Reports - May 2023**

### **Buildings and Grounds** ( Board Liaison - Angie Knappenberger)

Still in process of finalizing quotes to paint Founders Hall. Estimates are \$8-10K. Can the Board authorize Ed Mlakar, chair, to sign this contract? In process of looking for vendors regarding a handrail between Founders Hall and the amphitheater walkway.

### **Communications** (Board Liaison - Liora Kian-Gutierrez)

Preparing materials for the Solana Beach Street Faire; we have two stand up signs and a Side With Love banner, copies of the quarterly magazine, and other informational material. Holding our second CCCCC contest.

### **Dream Builders** (Board Liaison - Andi MacLeod)

Awaiting contract from Chris Kolb for his work on the Administration Building. His initial proposal is for \$256K with a 10% contingency for a total of \$281K to do the entire project. Chris will do many modifications from the original design to reduce costs: rewiring versus moving the electrical panel, replacing exterior siding only as necessary, keep the fireplace in the minister's office and replace interior wall board only as needed. Minimal heavy equipment will be needed as Chris plans to dig the new foundation by hand, including replacing the wall in the back space by the work and work table. Not sure if the environmental study will be needed (additional \$25K- \$50K). Target start date in late June or early July. Plans will need to be made about relocating the office.

A Request for Proposal to move ahead with the necessary work to obtain a building permit from the City of Solana Beach and a Coastal Development Permit has gone out to Doug Paterson, the architect that we have been working on with the Administration Building. The proposal is due to UUFSD by May 22,2023.

Chris Faller will be stepping down as Chair as of June 30th and new leadership will be needed.

### **Finance Committee** (Board Liaison - Angie Knappenberger)

\$150,000 was moved in March from the Union Bank checking account to Vanguard where it has been invested in three 12 month \$50,000 CDs with staggered maturation dates. At 5.35% for a year will generate \$8,025 in revenue. Once we know the surplus from the General Fund for FY 22-23 (estimated at \$90K) , the Committee will decide what additional CDs to buy and still leave a generous cushion in Unrestricted Net Assets.

### **Leadership** (Board Liaison - Andi MaLeod)

The Leadership committee's focus is on supporting Membership and RE. There have been families who have visited with teens. Susan Hahm and Steph Reed and Christie Turner are thinking of inviting them to a gathering to see what their needs are and what kind of group the teens would like.

We also hope to have more events this summer such as a picnic in San Dieguito park and a beach party.

**Library** (Board Liaison - Cathy Leach-Phillips) all ok, no update

**Membership** (Board Liaison -Liora Kian-Gutierrez) - Nothing to report.

**Music** (Board Liaison - Cathy Leach-Phillips) all ok, no update

**Nominating Committee** (Board Liaison - Angie Knappenberger)

Will be presenting the slate for two Board of Directors to fill the upcoming openings and a slate for President/VP at the next Board meeting, May 7th. Committee is still finalizing the slate for three new members of the Nominating Committee.

**Pastoral Care** (Board Liaison - Livia Walsh)

Kevin Burchby, who has been a member of the committee for several years will be leaving as he is moving to Boston. One member expressed an interest in helping with Pastoral Care. The chairperson met with her and she encouraged the member to meet with Rev. Ellie. Meetings typically are held on the second Tuesday at 1:30 via zoom. This month's meeting will be on the 3rd Tuesday due to the Board Retreat. There has been no further progress at this time regarding the "Caring for Our Elders" program.

**Personnel** (Board Liaison - Angie Knappenberger) - No update

**Planned Giving/Endowment** (Board Liaison - Livia Walsh)

The committee met on April 21st to decide on the grant recipients for this year and to complete the proposed modification of the Bylaws as it relates to Endowment. Alisa Guralnick, a member of this committee will be presenting all of the details at the Board meeting on May 7th. The committee is in the process of updating their Policies and Procedures.

**Policies and Procedures** (Board Liaison - Livia Walsh)

The Pastoral Care P&P was approved on April 25th and sent to the chair of the P&P committee for formatting after which it will be sent to the webmaster for archiving.

**Religious Education** (Board Liaison - Liora Kian-Gutierrez)

**RE Committee Meeting Minutes:** Next meeting scheduled for Sunday, May 7.

**RE Budget:** 2023-24 Request is pending board review/approval.

**RE Search Committee:**

1. Revised board-approved DRE job description was posted to UUFSD.org, UUA.org, LREDA.org, Indeed.com, and Craigslist.com on 5/4/23.
2. Childcare worker job description was also newly posted to the same locations. A News Post was also submitted to UUFSD.org/Facebook/newsletter.

**Safe Congregation Task Force (SCTF):** (S. Hahm, A. MacLeod, C. Faller, A. Knappenberger, M. Trause; A. Guralnick-Advisor)

1. Denise Clark, Church Administrator, is completing the application for an Originating Agency Identifier (ORI) with the Department of Justice. This will allow us to submit our Request For Live Scan Service, which will allow us to run fingerprint background checks.

2. The task force met at deBenneville Pines during the UUFSD Family Camp weekend. S. Hahm is completing draft updates on the Background Check portion of the UUFSD Policy and Procedure Document, Policy ID: 520, Title: Child and Youth Protection. Upon completion it will be shared with SCTF members for comment.

**RE/Worship Coordination:**

1. The next intergenerational service will be 6/4/23, the Flower Ceremony, RE volunteer recognize.
2. RE Com will be seeking someone willing/available to attend worship com meetings to increase communications and coordination.

**RE Family Connection Events:**

1. **Game Night:** The April gathering had 29 folks in attendance, 8 of whom were children (K through 4<sup>th</sup> grade).
2. **DeBenneville Pines:** What a magical time in the mountains! Four RE families joined us with six children. Thanks to all who made this event happen and made it free for younger kids!

**JRUU/YRUU:**

An interest list has been established and currently has 16 names of youth in 6<sup>th</sup> through 12<sup>th</sup> grades.

**RE Registration Update:**

<b>UUFSD RE 2022-23 Registration Status as of:</b>	5/4/2023	
<b>Families</b> (Members, Friends and Visitors)	(Infant through 12 <sup>th</sup> Grade)	
<b>Families Currently Registered</b>	<b>17</b>	Registered less Cancelled
Reg. Families: Canceled	2	Typically, visitors, not attending, unsubscribed from RE email.
Registered Families = Members	6	
Reg. Pending Families = Members	<b>1</b>	Attending, RE registration paperwork pending.
Registered Families = Visitors	11	
Reg. Pending Families = Visitors	3	Attended at least once, RE registration paperwork pending.
<b>Children Currently Registered</b>	<b>26</b>	Registered less Canceled
Reg. Children: Canceled	3	Typically, visitors, not attending, unsubscribed from RE email.
Kids Registered: Members	9	
Reg. Pending Children: Members	<b>2</b>	Attending, RE registration paperwork pending.



**Action item:** Denise, our congregational administrator, would like to ask the Board if, during the 8 weeks Rev. Ellie is gone this summer, she could work a half-day on Fridays. She said the OOS and newsletter are out by then and typically nobody is on campus.

**Action item:** I will meet with Denise on 5/10 to discuss how her job is going so far. If anyone has any feedback for her, please let me know.

**Action item:** During the Worship meeting on 5/4, Rev. Ellie realized that although she will return from her study leave and vacation in early August, she will have already preached the number of Sundays specified in her contract (I think 22) so she would be back in the office, but not preach until her new contract begins in September. Does the Board want to amend this in any way? What does Rev. Ellie want? This needs to be discussed so the Worship committee can plan appropriately for August.

### **Stewardship** (Board Liaison - Angie Knappenberger)

One of the statistics that the **Stewardship for Us** group used to gather was the percentage of members who pledge. Ours was always 100%, due to our required pledge. Now we are set up to keep that statistic -- ALL voting members in Breeze are given a pledge entry in FY23/24, including those with a \$0 pledge amount. So they will start getting quarterly statements along with everyone else. And we can easily find them by running a pledge report, so we can look for a "donation of record" in their name at the end of the year. Out of **131 pledge units** in FY23/24, we have **14 voting members (pledge units) in Breeze who have a \$0 pledge**. Most of these people we know have stepped away or otherwise moved on, but their status in Breeze is still voting members. At the end of FY22/23, we will decide how to handle them based on their donation record. The pledge unit percentage is **89%**, but to get our percentage in individual members, we would have to go from pledge units to members - I plan to figure out a way to get this number easily without grunt work.

Final pledge drive amount is \$344,000.

Stewardship has 63 items with a value of \$23,000 per 5/2 for the auction which is about  $\frac{2}{3}$  of the way to the target. Online bidding will start on May 10 and will be turned off on Saturday May 20 to enable paper bidding on Sunday. Once the Auction is over, Stewardship will have a post-mortem of the event on Zoom, as well as talk about some new ideas to host events throughout the year to make up any shortfall.

**Worship** (Board Liaison - Cathy Leach-Phillips) Projects proceed apace. All summer speakers assigned 😊

### **STAFF REPORTS**

# ADMINISTRATOR'S REPORT TO THE BOARD – MAY 2023

## MEMBERSHIP STATISTICS as of May 2, 2023:

Voting members:	168
Members emeritus:	3
Pledging friends:	11
Friends:	<u>36</u>
<b>Total</b>	<b><u>218</u></b>

## SUNDAY ATTENDANCE:

Date	In Person	Via Zoom	Via YouTube	Total
4/2/2023	49	16	18	83
4/9/2023	100	23	18	141
4/16/2023	24	14	8	46
4/23/2023	89	21	2	112
4/30/2023	65	18	19	102

## CAMPUS SECURITY/BUILDING ACCESS:

The master key for the six keypad door locks was copied and given to Rev. Ellie, Ed Mlakar, and Chris Faller. I also keep one with me.

Each keypad door lock contains a battery pack with 4 x AA batteries, which will eventually die. There is no warning when the batteries are dying.

## DOCUMENTS RETENTION:

A hard copy of all Board Minutes, Congregational Meeting Minutes, and By-Laws revisions to date have been filed in the UUFSD Official Corporate Minute Books in the office and archived in the UUFSD Archive Google Drive.

## WIRELESS INTERNET ACCESS:

This month I experienced two instances where I was unable to access the internet, both on Tuesdays, April 11, and April 18. Luckily, both instances began in the early afternoon after the bulk of the bookkeeping work with Gabe had been completed, as this impacts her as well. Both instances lasted several hours, during which I did troubleshooting (some with Didge) that was ineffective. Both instances inexplicably resolved themselves, but not before I planned to work from home on April 19 and scheduled a service call with Spectrum for the afternoon of the 19<sup>th</sup>.

The technician concluded that the campus connection to the internet was as it should be and had been uninterrupted. He speculated that we had a router issue(s). He replaced the modem in the Core Building closet (apparently it was very old) and connected a new separate router there as well. The old modem had a built-in router. I experienced a minor inaccessibility early the next two mornings, but they lasted only for a few minutes and resolved themselves.

Respectfully submitted,

Denise Clark, Congregational Administrator

## **Minister's Report**

Rev. Ellie Kilpatrick (she/her)

5/7/2023

Big Picture: This month has been dominated by budget discussions and behavioral covenant work. I had four feedback sessions for the behavioral covenant, and 32 people attended. As the board knows, we made the decision to delay voting on the behavioral covenant until January, so that we can delve deeper into the process. The feedback I received from the sessions was overwhelmingly positive, and if anything, people wanted to go deeper. With regard to budget conversations, I was encouraged by the thoughtfulness and openness that people brought to conversations. We are in a good place compared to a lot of other UU congregations, and continuing to try to think outside the box will be essential to building up our community. The other element that has been important for me to consider this month is beginning to plant seeds around me as the staff supervisor next year. A couple of low stakes issues have arisen (that Mary Anne is aware of and consulted me on), and we're starting to collaborate on systems that will enable smoother supervision all around.

One thing that I want to ask the board to consider for next year, is when I am full time, the complete list of responsibilities that members might expect will likely exceed my capacity. How can we effectively set boundaries, in spite of being full time, and communicate with the congregation what is expected of me, and what is not. Just as I led a conversation around expectations at the beginning of the year, and it was extremely helpful, I think it will be beneficial to revisit the conversation when I am full time for all of us to be on the same page, and to remember that I hold the container, not all the balls (like I displayed in the service in October).

### Worship and Rites of Passage:

Worship continues to be very well received. The biggest question that has arisen is around scheduling for August. I will be back from my vacation, but if my new contract has not begun yet, technically I will have completed all 22 services of that contract year. The board and I need to decide the start date of the upcoming contract year so that I can help plan worship for the month of August. If the start date is September 1, I will be working  $\frac{2}{3}$  time in August and not be in the pulpit. Another option would be to start August 8th (at the end of my vacation time), or even August 15th. There's no reason we can't be creative with the start date to fit our needs, but we do need to decide in the next couple of weeks.

### Pastoral Care and Presence:

Pastoral care continues to be a priority of mine. There is nothing particularly pressing for the board to know about pastoral needs at this time.

### Spiritual Development for Self and Others:

For spiritual development, I primarily focused on finishing the DREF job description. It has now been sent into the UUA and LREDA. It often takes a few days to process, so it might not yet be

posted. The final job description and package is something I'm very proud of and excited about. I hope we find a candidate that can help us re-envision RE in a way that meets today's world.

#### Social Justice in the Public Square:

Justice issues are coming up more in the pulpit, as it feels necessary to share these messages. This area continues not to be a main focus of day to day ministry, as defined by the part time contract. I look forward to delving deeper into justice work next year, as it feels so vital to this moment.

#### Administration:

This tends not to be an area that I focus on. Denise and I work very well together.

#### Serves the Larger Unitarian Universalist Faith:

I have been continuing to get to know my wonderful local UU colleagues. This weekend, I participated in a colleague's ordination in Redwood City. It is a joy to be a part of the broader movement.

#### Leads the Faith into the Future:

I still firmly believe that the future of our church life is going to include a lot of creative thinking and exploration. There will naturally be anxiety that goes alongside this. One of the roles that the board can play is to help echo my sentiment that how we historically expect "success" to look may not be the reality of success. Traditional models of growth are increasingly less relevant. Many churches are now taking worship out of the "center" position on how they define their community. Activities like joining the festival at Solana Beach is vital, because we will need to get out of our bubble in order to expand and grow, both in spirit and in numbers. It's important to recognize, however, that growing in numbers may not lead to substantial growth in "volunteerism" or pledging numbers, since it's part of a model that younger generations tend to find less nourishment in. Togetherness and volunteerism are different in the generational divide, and the "village" approach looks different outside of historical church models. It will take some getting used to (and importantly, not looking down upon) other ways of being together that appeal to younger generations.

# Treasurer's Report – April 30 2023

## MEMBERSHIP AND PLEDGING

Per UUFSD's recently updated [bylaws](#), "Any person who is in agreement with the purposes of this Fellowship shall become a Voting Member 30 days after signing the membership form/book and making an annual contribution of record to the General Fund of UUFSD."

This contribution of record is most often in the form of an annual pledge. Members who are married or domestic partners may, and usually do, pledge or contribute together. We also have a few pledging friends, people who pledge but choose not to sign the book and become members. This is why the number of voting members and number of pledges is not the same.

Currently we have 168 members, 13 pledging friends, and 117 pledges:

- 63% of pledges are from individuals (a year ago was 61%)
- 37% of pledges are from couples (a year ago was 39%)
- 93% of pledges are from voting members (a year ago was 96%)
- 7% of pledges are from pledging friends (a year ago was 4%)

This pledging pattern is pretty consistent year to year.

## MEMBERSHIP AND PLEDGE CHANGES SINCE LAST PLEDGE DRIVE

At the end of the pledge drive last year, we had 165 members and 115 pledges, totaling \$335k pledged. This year we have 168 members and 117 pledges, totaling \$344k pledged for FY23-24. This is a small, but encouraging, increase after the troubles of the previous year.

Every year we have a few households reduce their pledge, while many more stay the same, or even increase their pledges compared to the previous year. This year:

- 53 households maintained their pledge at the same level
- 50 households raised their pledge for a total increase of \$29k
- 14 households reduced their pledges for a total decrease \$17k, and
- 3 households resigned for a loss of \$3k

Since the end of the last pledge drive (and as just alluded to), we had 4 members from 3 households resign, mostly because they moved out of state. We also had 10 members join and added three new pledging friends, whom we hope intend on becoming members soon.

We do have eight people whose status is currently undetermined. They may wish to continue to be voting members of UUFSD, or they may be choosing to be inactive for now, or they may have resigned without yet telling anyone. We are in the process of reaching out to them to ask after their well-being and to try to confirm their intentions with respect to UUFSD.

Based on the results of the current pledge drive and the proposed FY23-24 budget, it now costs about \$2,400 per member to operate UUFSD.

## UPDATE ON BOARD DESIGNATED RESERVES

Net Income in the General Fund is extraordinarily high this year due to collecting more revenue than anticipated and not spending everything that was budgeted for FY22-23. This year's original budget allocates enough funds for a full-time minister, a part time RE coordinator, and child care staff. None of which will be spent. This is in addition to the unspent funds left over from the Covid grants we received in 2020 and 2021.

The Finance Committee has determined, and the Board has approved, that a significant portion of this windfall will be placed into Board Designated Reserves and the funds invested. This will both create an additional source of income for the General Fund going forward, and hopefully reduce the need to budget significant amounts of money for reserves in future years.

The Finance Committee, the Board of Directors, and Rev Ellie have all agreed that this is the most responsible thing UUFSD can do with this windfall. The goal is to maintain a **Facilities Reserve of \$50k** and an **Operations Reserve of \$86k** (three months of operating expenses). Whatever is used in any given year from these two reserves, the intention will be to make every effort to replace the funds withdrawn in the subsequent year/s.

In addition to the Board Designated Facilities and Operations Reserves, UUFSD maintains a Minister Reserve and a new Programs Reserve.

**Minister Reserve:** There are costs, over and above salary and benefits, associated with having a minister. These include the costs of a search, of moving, of installation, and of honoraria during a sabbatical. This reserve currently stands at about \$13k.

**Programs Reserve:** For historical reasons, UUFSD has maintained a large number of small equity accounts under the heading of "Other Funds" on our Balance Sheet. These are essentially small savings accounts for programs and committees that are largely invisible to the vast majority of members. This approach does not contribute to transparency and inclusivity in the budgeting process and it complicates our accounting. After many discussions among members of the Board, Rev Ellie, the Finance Committee, and current committee heads, the Board has approved consolidating a number of these "other funds" into a new Board Designated Program Reserve. This fund will be available to the Music, RE, and Fun& Fellowship programs/committees for any initiative proposed by the leadership and approved by the Board that is outside the scope of their annual program/committee budgets.

The Board is also committing to ensuring that, going forward, UUFSD programs are adequately funded, obviating the need that these small funds were created to address.

The small equity funds that will be rolled into this new Board-Designated Programs Reserve, creating a total reserve of \$5.2k, are:

- FND.CON.04 - Concert Fund
- FND.FNF.04 – Fun & Fellowship Fund
- FND.MUS.04 - Music Fund
- FND.REL.04 - RE Fund

## SO THAT WE DON'T FORGET...

### UUFSD IS A TAX-EXEMPT ORGANIZATION

What does that mean?

UUFSD is a religious organization and as such is not required to file Form 990 with the IRS, nor the equivalent Form 190 with CA, and so does not.

We do pay ~ \$4000/year in property taxes to San Diego County for utilities and services. We are not charged taxes on the value of the land or the improvements.

Per Finance Committee recommendation and Board of Directors approval, UUFSD does not do depreciation accounting. The rationale is we don't file taxes and we can't sell the property, so we don't need to track the value of our assets. So we don't.

As a religious organization, we are also exempted from paying California's unemployment insurance and short-term disability insurance taxes. So we don't.

The Unitarian Universalist Fellowship of San Dieguito  
Profit & Loss Budget vs. Actual  
July 2022 through April 2023

	July 2022 - April 2023	Annual Budget	\$ Over/Under Budget	83% of Year % of Budget	Notes
Ordinary Income/Expense					
Income					
Assets Released From Restriction					
From Other Funds	500.00				1
Total Assets Released From Restriction	500.00				
Revenues					
Pledges					
REV.PLG.01 - Pledge Income	290,916.43	304,000.00	-13,083.57	95.7%	
Total Pledges	290,916.43	304,000.00	-13,083.57	95.7%	
Site Rental					
REV.SIT.01 - Sandy Hill	40,133.80	49,200.00	-9,066.20	81.57%	
REV.SIT.02 - Special Event	6,380.00	3,000.00	3,380.00	212.67%	
REV.SIT.03 - Other	154.00	0.00	154.00	100.0%	
Total Site Rental	46,667.80	52,200.00	-5,532.20	89.4%	
Fundraising					
REV.AUC.01 - Auction	1,276.50	13,000.00	-11,723.50	9.82%	
REV.FDR.02 - Other	907.00	2,000.00	-1,093.00	45.35%	
Total Fundraising	2,183.50	15,000.00	-12,816.50	14.56%	
Contributions to General Fund					
REV.SUN.01 - Sunday Collection	9,979.47	9,000.00	979.47	110.88%	
REV.MIS.01 - Scripp Sales	336.38	300.00	36.38	112.13%	
REV.MIS.02 - Other	5,583.07	5,000.00	583.07	111.66%	
Total Contributions to General Fund	15,898.92	14,300.00	1,598.92	111.18%	
Contributions to Programs					
REV.FNF.01 - Fun & Fellowship	827.89				
REV.SAC.01 - Social Action	1,096.88				
Total Contributions to Programs	1,924.77				
Contributions to Other Funds					
REV.OES.01 - CalOES Fund	64,834.00				2a
REV.END.01 - Endowment Fund	12,950.33				3
REV.CAP.01 - Capital Fund	22,000.00				
REV.CDL.01 - Casas de Luz	144,679.57				
REV.CON.01 - Concert Fund	3,835.57				
REV.DBN.01 - DeBenville Fund	9,367.13				
REV.LIB.01 - Library Fund	220.00				
REV.MWL.01 - Memorial Wall Fund	1,800.00				
REV.SPC.01 - Special Collection	5,856.94				
Total Contributions to Other Funds	265,543.54				
Investment Income					
UUCEF Realized Gains & Losses	-5,637.18				
Vanguard Interest & Dividends	11,209.94				
Total Investment Income	5,572.76				
Total Revenues	628,707.72	385,500.00	243,207.72	163.09%	
Total Income	629,207.72	385,500.00	243,707.72	163.22%	
Gross Profit	629,207.72	385,500.00	243,707.72	163.22%	
Expense					
Operations Expenses					
Office					
OPS.OFF.01 - Postage	221.80	400.00	-178.20	55.45%	
OPS.OFF.02 - Office Supplies	911.76	1,500.00	-588.24	60.78%	

## The Unitarian Universalist Fellowship of San Dieguito

### Profit & Loss Budget vs. Actual

July 2022 through April 2023

	July 2022 - April 2023	Annual Budget	\$ Over/Under Budget	83% of Year % of Budget	Notes
OPS.OFF.03 - Copier	6,505.97	7,400.00	-894.03	87.92%	
OPS.OFF.04 - eSubscriptions	1,940.11	2,500.00	-559.89	77.6%	
OPS.OFF.05 - Phone & Internet	2,700.37	3,000.00	-299.63	90.01%	
OPS.OFF.06 - Adm Mileage Exp	37.68	100.00	-62.32	37.68%	
OPS.OFF.07 - Other Expenses	266.36	300.00	-33.64	88.79%	
<b>Total Office</b>	<b>12,584.05</b>	<b>15,200.00</b>	<b>-2,615.95</b>	<b>82.79%</b>	
<b>Finance</b>					
OPS.FIN.01 - Accounting Fees	7,800.00	10,560.00	-2,760.00	73.86%	
OPS.FIN.02 - Credit Card Fees	1,080.81	1,500.00	-419.19	72.05%	
OPS.FIN.03 - Bank Fees	18.00	240.00	-222.00	7.5%	
OPS.FIN.04 - Other Expenses	230.75	1,000.00	-769.25	23.08%	
<b>Total Finance</b>	<b>9,129.56</b>	<b>13,300.00</b>	<b>-4,170.44</b>	<b>68.64%</b>	
<b>Site</b>					
OPS.SIT.01 - Property Insurance	6,180.88	6,000.00	180.88	103.02%	
OPS.SIT.02 - Real Estate Taxes	4,065.54	4,100.00	-34.46	99.16%	
OPS.SIT.03 - Gas & Electric	-112.42	100.00	-212.42	-112.42%	4
OPS.SIT.04 - Water	2,283.49	3,500.00	-1,216.51	65.24%	
OPS.SIT.07 - B&G Maintenance	8,914.64	10,000.00	-1,085.36	89.15%	
<b>Total Site</b>	<b>21,332.13</b>	<b>23,700.00</b>	<b>-2,367.87</b>	<b>90.01%</b>	
<b>Total Operations Expenses</b>	<b>43,045.74</b>	<b>52,200.00</b>	<b>-9,154.26</b>	<b>82.46%</b>	
<b>Denomination Expenses</b>					
OPS.DEN.01 - UUA Dues	1,000.00	1,000.00	0.00	100.0%	
<b>Total Denomination Expenses</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>0.00</b>	<b>100.0%</b>	
<b>Committee Expenses</b>					
COM.BRD.03 - Board Exp	392.23	200.00	192.23	196.12%	
COM.COM.03 - Communications Exp	100.00	500.00	-400.00	20.0%	
COM.FND.03 - Fundraising Exp	350.00	500.00	-150.00	70.0%	
COM.MEM.03 - Membership Exp	0.00	200.00	-200.00	0.0%	
COM.PCC.03 - Pastoral Care Exp	0.00	200.00	-200.00	0.0%	
COM.PGC.03 - Planned Giving Exp	0.00	200.00	-200.00	0.0%	
COM.RRC.03 - RightRelations Exp	0.00	1,000.00	-1,000.00	0.0%	
COM.SUN.03 - Worship Exp	3,103.92	4,400.00	-1,296.08	70.54%	5
<b>Total Committee Expenses</b>	<b>3,946.15</b>	<b>7,200.00</b>	<b>-3,253.85</b>	<b>54.81%</b>	
<b>Program Expenses</b>					
EXP.FNF.03 - Fun&Fellowship Exp	2,159.67	1,000.00	1,159.67	215.97%	
EXP.MUS.03 - Music Program Exp	888.24	2,000.00	-1,111.76	44.41%	
EXP.REL.03 - RE Program Exp	166.23	1,000.00	-833.77	16.62%	
EXP.SAC.03 - Social Action Exp	2,153.61	1,000.00	1,153.61	215.36%	
<b>Total Program Expenses</b>	<b>5,367.75</b>	<b>5,000.00</b>	<b>367.75</b>	<b>107.36%</b>	
<b>Other Fund Expenses</b>					
EXP.OES.03 - CalOES Fund Exp	65,177.84				2b
EXP.CAP.03 - Capital Fund Exp	93,885.13				
EXP.CDL.03 - Casas de Luz Exp	106,325.99				
EXP.CON.03 - Concert Exp	2,162.53				
EXP.DBN.03 - Debenneville Exp	8,590.00				
EXP.MWL.03 - Memorial Wall Exp	244.68				
EXP.SPC.03 - Special Coll Exp	4,938.10				
<b>Total Other Fund Expenses</b>	<b>281,324.27</b>				
<b>Payroll Expenses</b>					
<b>Minister Expenses</b>					
PER.MIN.00 - MIN Housing	38,317.60	62,266.00	-23,948.40	61.54%	

The Unitarian Universalist Fellowship of San Dieguito  
Profit & Loss Budget vs. Actual  
July 2022 through April 2023

	July 2022 - April 2023	Annual Budget	\$ Over/Under Budget	83% of Year % of Budget	Notes
PER.MIN.02 - MIN UUA Pension	4,259.96	6,227.00	-1,967.04	68.41%	
PER.MIN.03 - in Lieu of FICA	2,931.36	4,763.00	-1,831.64	61.54%	
PER.MIN.07 - MIN LTDLife Ins	777.35	1,000.00	-222.65	77.74%	
PER.MIN.08 - MIN Prof Exp	0.00	8,000.00	-8,000.00	0.0%	
PER.MIN.10 - Moving Expenses	0.00	5,000.00	-5,000.00	0.0%	
<b>Total Minister Expenses</b>	<b>46,286.27</b>	<b>87,256.00</b>	<b>-40,969.73</b>	<b>53.05%</b>	
<b>DRE Expenses</b>					
PER.DRE.01 - DRE Wages	0.00	16,500.00	-16,500.00	0.0%	
PER.DRE.03 - ER Payroll Taxes	0.00	1,262.00	-1,262.00	0.0%	
PER.DRE.04 - DRE Medical	-233.70	0.00	-233.70	100.0%	6
<b>Total DRE Expenses</b>	<b>-233.70</b>	<b>17,762.00</b>	<b>-17,995.70</b>	<b>-1.32%</b>	
<b>Administrator Expenses</b>					
PER.ADM.01 - ADM Wages	43,163.31	56,420.00	-13,256.69	76.5%	
PER.ADM.02 - ADM UUA Pension	2,372.16	5,642.00	-3,269.84	42.05%	
PER.ADM.03 - ER Payroll Taxes	2,993.77	4,316.00	-1,322.23	69.36%	
PER.ADM.04 - ADM Medical	7,141.40	11,284.00	-4,142.60	63.29%	
PER.ADM.07 - ADM LTDLife Ins	468.02	0.00	468.02	100.0%	
<b>Total Administrator Expenses</b>	<b>56,138.66</b>	<b>77,662.00</b>	<b>-21,523.34</b>	<b>72.29%</b>	
<b>Music Program Expenses</b>					
<b>Choir Director</b>					
PER.MUS.01 - Choir Dir Wages	13,368.74	16,500.00	-3,131.26	81.02%	
PER.MUS.03 - ER Payroll Tax	509.51	1,262.00	-752.49	40.37%	
<b>Total Choir Director</b>	<b>13,878.25</b>	<b>17,762.00</b>	<b>-3,883.75</b>	<b>78.14%</b>	
<b>Accompanist</b>					
PER.MUS.11 - Accompanist Wages	8,927.34	10,830.00	-1,902.66	82.43%	
PER.MUS.12 - Accompanist PR Tax	191.19	828.00	-636.81	23.09%	
<b>Total Accompanist</b>	<b>9,118.53</b>	<b>11,658.00</b>	<b>-2,539.47</b>	<b>78.22%</b>	
<b>Total Music Program Expenses</b>	<b>22,996.78</b>	<b>29,420.00</b>	<b>-6,423.22</b>	<b>78.17%</b>	
<b>Site Support Staff Expenses</b>					
PER.SIT.01 - Childcare	0.00	2,020.00	-2,020.00	0.0%	
PER.SIT.02 - Custodian	7,147.50	8,710.00	-1,562.50	82.06%	
PER.SIT.03 - Site Caretaker	6,549.75	4,200.00	2,349.75	155.95%	
PER.SIT.09 - AV Specialist	15,425.00	16,250.00	-825.00	94.92%	
PER.SIT.10 - AV Assistant	0.00	2,125.00	-2,125.00	0.0%	
PER.SIT.12 - ER Payroll Taxes	3,281.14	1,882.00	1,399.14	174.34%	
<b>Total Site Support Staff Expenses</b>	<b>32,403.39</b>	<b>35,187.00</b>	<b>-2,783.61</b>	<b>92.09%</b>	
PER.MIS.01 - Worker's Comp Insurance	1,133.00	2,250.00	-1,117.00	50.36%	
PER.MIS.02 - Other Personnel Expenses	748.50	500.00	248.50	149.7%	
Payroll Expenses - Other	22.75				
<b>Total Payroll Expenses</b>	<b>159,495.65</b>	<b>250,037.00</b>	<b>-90,541.35</b>	<b>63.79%</b>	
<b>Total Expense</b>	<b>494,179.56</b>	<b>315,437.00</b>	<b>178,742.56</b>	<b>156.67%</b>	
<b>Net Ordinary Income</b>	<b>135,028.16</b>	<b>70,063.00</b>	<b>64,965.16</b>	<b>192.72%</b>	
<b>Other Income/Expense</b>					
<b>Other Income</b>					
<b>Board Designated Activity</b>					
Released from Board Reserves	-500.00				
<b>Total Board Designated Activity</b>	<b>-500.00</b>				
<b>Total Other Income</b>	<b>-500.00</b>				
<b>Other Expense</b>					
Board Approved Expenses	3,882.95				7

## The Unitarian Universalist Fellowship of San Dieguito

### Profit & Loss Budget vs. Actual

July 2022 through April 2023

	July 2022 - April 2023	Annual Budget	\$ Over/Under Budget	83% of Year % of Budget	Notes
Total Other Expense	3,882.95				
Net Other Income	-4,382.95				
<b>Net Income</b>	<b>130,645.21</b>	<b>70,063.00</b>	<b>60,582.21</b>	<b>186.47%</b>	

#### OTHER BUDGETED LINE ITEMS

Other Expense

**LIABILITIES**

LIA.OPS.01 - Solar Loans 2,202.50 4,405.00 -2,202.50 50.0% 8

**BOARD DESIGNATED RESERVES**

RES.SIT.01 - Facilities Reserve 15,000.00 15,000.00 0.00 100.0%

RES.OPS.01 - Operations Reserve 10,000.00 10,000.00 0.00 100.0%

**Total Other Expenses** **27,202.50** **29,405.00** **-2,202.50** **92.51%**

#### NET INCOME - GENERAL FUND ONLY

Total Revenues - General Fund ONLY	357,591.42	385,500.00	-27,908.58	92.76%	9
Total Expenses - General Fund ONLY	240,057.79	315,437.00	125,865.50	76.1%	10
<b>Net Income - General Fund ONLY</b>	<b>117,533.63</b>	<b>40,658.00</b>			11

#### NOTES

- 1) \$500 released from Concert Fund to pay for Peter Mayer's travel expenses
  - 2a) REV.OES.01 - CalOES Fund: We have received the final reimbursement from CalOES. This Grant is now closed.
  - 2b) EXP.OES-03 - CalOES Fund Expenses: This account shows a little more than what we were reimbursed for because we overran the allotment for some of our subprojects.
  - 3) REV.END.01 - Endowment Fund: This revenue account includes income for both the Endowment Fund and the new Music Endowment Fund. We track the income for the two Funds through classes.
  - 4) OPS.SIT.03 - Gas & Electric: This account is running a negative balance due to a one time rebate of \$279. The average monthly SDG&E bill is \$20.
  - 5) COM.SUN.03 - Worship Expenses: The budget for this account was increased by the Board at the request of the Worship Committee from \$3,200 to \$4,400 for the year.
  - 6) PER.DRE.04 - DRE Medical Expenses: This account shows a negative balance due to a refund on DRE medical expenses from last fiscal year.
  - 7) Other Expenses Approved by the Board: This account includes \$3012.97 for AV upgrades, \$369.98 for food for the member workshop with Reverend Sarah Millsbaugh, and \$500 for Peter Mayer's travel expenses.
  - 8) LIA.OPS.01 - Solar Loans: We make payments on these loans in December and June.
  - 9) **Total Revenues for the General Fund** equals *Total Revenues* minus *Total Other Fund Contributions* (Other Funds include Capital Campaign Fund, Endowment Fund, Casas de Luz Fund, etc) and minus *Total Investment Income* (the investment income belongs to the Capital Campaign Fund and to the Endowment Funds).
  - 10) **Total Expenses for the General Fund** equals *Total Expenses* plus *Total Other Expenses* (the funds used to pay liabilities and reserves) less *Total Other Fund Expenses* (Other Funds include Capital Campaign Fund, Endowment Fund, Casas de Luz Fund, etc).
  - 11) **Net Income for the General Fund** is extraordinarily high this year due to collecting more revenue than anticipated and not spending everything that was budgeted. This year's original budget allocates enough funds for a full time minister, a part time RE coordinator, and child care staff. The Annual Budget in this row shows a \$40,658 surplus. This is the money we budgeted for but did not spend on a full time minister (Rev Ellie is 2/3 time this year).
- The Finance Committee has determined that a significant portion of this windfall will be placed into Board Restricted Reserves and the funds invested in CDs. This will both create an additional source of income for the General Fund going forward, and reduce the need to budget significant amounts of money for reserves in

The Unitarian Universalist Fellowship of San Dieguito

Balance Sheet

As of April 30, 2023

	<u>Apr 30, 23</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
Union Bank Chkg	255,414.38
Total Checking/Savings	<u>255,414.38</u>
Accounts Receivable	
Accounts Receivable	-22,006.00
Total Accounts Receivable	<u>-22,006.00</u>
Other Current Assets	
Undeposited Funds	-84.08
Total Other Current Assets	<u>-84.08</u>
Total Current Assets	233,324.30
<b>Other Assets</b>	
Investments	
UUCEF - Endowment Fund	125,627.82
UUCEF - Endowment Fund - Music	11,673.04
Vanguard x2001-Capital Campaign	833,179.35
Vanguard x6230-General Fund	150,457.40
Total Investments	<u>1,120,937.61</u>
Total Other Assets	<u>1,120,937.61</u>
<b>TOTAL ASSETS</b>	<u><u>1,354,261.91</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Accounts Payable	
Accounts Payable	-240.09
Total Accounts Payable	<u>-240.09</u>
Credit Cards	
Union Bank Main CC	144.00
Total Credit Cards	<u>144.00</u>
Other Current Liabilities	
Bonus' Payable	462.14
Payroll Liabilities	
LIA.PER.01 - Payroll Taxes	572.04
LIA.PER.02 - UUA Pension	1,436.01
LIA.PER.03 - Medical Insurance	-4,478.03
Payroll Liabilities - Other	480.00
Total Payroll Liabilities	<u>-1,989.98</u>
Total Other Current Liabilities	<u>-1,527.84</u>
Total Current Liabilities	-1,623.93
<b>Long Term Liabilities</b>	
Long Term Liabilities	
LIA.OPS.01 - Solar Loans	16,185.24
Total Long Term Liabilities	<u>16,185.24</u>

The Unitarian Universalist Fellowship of San Dieguito

**Balance Sheet**

As of April 30, 2023

	<u>Apr 30, 23</u>
Total Long Term Liabilities	16,185.24
Total Liabilities	14,561.31
Equity	
Unrealized Gains&Losses	
Unrealized Gains&Losses Vangrd	-4,244.26
Unrealized Gains&Losses UUCEF	-16,541.96
Total Unrealized Gains&Losses	-20,786.22
Permanent Restricted	
FND.END.01 - Endowment Fund	117,205.40
Total Permanent Restricted	117,205.40
Temp. Restricted	
Building Funds	
FND.CAP.01 - Capital Campaign	882,556.61
Total Building Funds	882,556.61
Program Funds	
FND.FNF.04 - Fun&Fellowship Fnd	1,202.95
FND.MUS.04 - Music Fund	107.85
FND.REL.04 - RE Fund	1,318.20
FND.SAC.04 - SAC Fund	
Garden Fund	55.76
Helping our Neighbors	2,850.70
UU the Vote	1,274.75
Total FND.SAC.04 - SAC Fund	4,181.21
Total Program Funds	6,810.21
Other Funds	
FND.CDL.04 - Casas de Luz Fund	64,398.13
FND.CON.04 - Concert Fund	2,572.47
FND.DBN.04 - DeBenneville Fund	3,675.60
FND.LIB.04 - Library Fund	903.72
FND.MWL.04 - Memorial Wall Fund	15,911.26
FND.MIN.04 - Minister Disc Fund	7,862.32
Total Other Funds	95,323.50
Board Designated Reserves	
RES.MIN.01 - Minister Reserve	12,765.93
RES.SIT.01 - Facilities Reserve	42,789.75
RES.OPS.01 - Operations Reserve	16,812.33
Total Board Designated Reserves	72,368.01
Total Temp. Restricted	1,057,058.33
Unrestricted Net Assets	36,825.31
Net Income	130,645.21
Total Equity	1,320,948.03
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b><u>1,335,509.34</u></b>

To the Board of UUFSD:

The Endowment Committee is pleased to submit this recommendation to the Board for approval, for distribution of grants from the Endowment Fund. Please remember to put us on the Agenda at the Congregational Meeting, so that the grants, once approved by the Board, may be approved by the congregation's vote on that day.

### Recap of Endowment Grant Applications 2023

Requester	Purpose	Amount Requested	Amount Recommended
Jon Luft	Drinking Fountain/ pad	\$2,000	\$1,625
Lisa Shaffer/ WA committee	Outdoor projector	\$750	0
Guliz / Irv Himmelblau	Yidiz Family/ Turkey	\$500	\$150
Betsy Gilpin/ Ed Mlakar	Wood staining/ FH	\$2,000	\$2,000
Cathy Leach-Phillips	Cajon drum/ music program	\$365	0
	Restricted Fund Music Grant to Board		\$500

**Total Recommended: \$4,275**

Endowment Committee Rationale:

Under our bylaws, the balance in the Endowment Fund is sufficient this year to grant up to **\$5,713 (5% of the 13-Quarter balance)**. However, given recent financial market performance, the fund's current balance is 'under water', meaning it has a lower current value than the sum of the amounts that have been donated to date. After much discussion about what is fiscally responsible, and given the overall general long-term purpose of the Endowment Fund and the financial markets' tendency to recover performance over long periods, the Committee is recommending a maximum grant of 3.75% of the 13-quarter balance.

We received requests totaling \$5,615 and, after discussion, **we are recommending a total of \$4,275** as noted in the table above, which is just under 3.75% of the 13-quarter balance.

In years past, we have aimed to grant monies benefitting both the Fellowship directly, and the larger community, in roughly equal parts. We used that same approach this year, in evaluating the requests themselves, the purpose of each, and how we might best recommend allocating our limited funds. Note, we received only one request for a grant that supported the larger community (the Yidiz family).

Specific rationale for each grant:

Jon Luft requested \$2,000 for a new drinking fountain, which included the fountain itself, plumbing and a new concrete pad. The committee feels that the partial amount of \$1,625 will cover the fountain and some of the additional costs, and that perhaps other Fellowship members can help with the plumbing and concrete pad.

Lisa Shaffer, on behalf of the Worship Committee, requested \$750 toward the eventual purchase of an outdoor projector to enable using audiovisual aids when using the amphitheater space. At this time, this is an early-stage item, currently being vetted by Joe Cantrell (our AV specialist) and others, and there is not a specific projector that has yet been identified. The Committee felt that this grant request has not been fully developed and it was not possible to recommend funding the grant until more particulars can be sorted out, given our limited funding. The Committee remains open to considering a grant next year, when presumably more details will be known.

Guliz Kuruoglu and Irv Himmelblau, on behalf of the Social Justice In Action committee, requested \$500 to support a specific family, the Yidiz family, who was displaced by the earthquake in Turkey. The SJIA committee has already raised about \$460 for the family. The Committee recommends a grant of \$150 to supplement what has already been raised.

Betsy Gilpin and Ed Mlakar asked for funding to support painting Founders Hall. This Committee and the Fellowship awarded a \$1,200 grant for this same purpose last year, and the need is even stronger this year, as the Hall is further deteriorated. Therefore, we feel strongly that the Hall has only deteriorated in the year that has passed, and that this grant needed funding in particular. We recommend granting the full amount requested of \$2,000, with the strong urging that the job be completed in the near future.

Cathy Leach-Phillips, on behalf of the Music Program, requested \$365 for a cajon (sometimes called a 'beat box'), a wooden box drum that can provide percussion for use by musicians. While a worthy and nominal grant request, the Committee feels this should come from unspent monies currently available in the music budget and/or could be granted by the Board by using the Restricted Music Fund Grant (*see next*).

The Restricted Music Fund is a newer endowment fund that was established last August by the Board. Different from the Unrestricted Fund (where all the above grants come from), the Music Fund is (so far) performing well financially and its current balance has earned some income beyond its initial principal contributions to date. Assuming that the Board meets the requirements of the Restricted Music Fund in budgeting for the Music Program (meaning, increasing the budget to account for inflation via Cost-of-Living or other increases, and to exceed the minimums), the Endowment Fund has the authority to make a grant from the Restricted Music Fund to the Board. We believe that these conditions will be met by the budget being proposed, per our Board Liaison, Livia Walsh. (A separate memo showing the calculations is attached.)

Therefore, the Endowment Fund is granting the UUFSD Board of Directors the amount of \$500, to do with as it sees fit (so long as it benefits the music program and meets the budgeting requirements).

Respectfully,

The Planned Giving Committee

Mark Tuller

Chris Butler

Alisa Guralnick

4/27/2023

To: UUFSD Board of Directors

**Re: \$500 Grant to the Board from Music Program Fund for FY '23-'24**

1. The Committee is granting **\$500** to the Board from the Music Program Fund to spend on music in the upcoming FY. The Music Program Fund is a restricted Endowment sub-fund created by the Board on August 18, 2022 (attached). Its current balance is \$11,254.
2. To qualify for the full grant, the Board should budget at least **\$32,151** to music activities and personnel for the next FY from current funds. This is the inflation-adjusted amount from the baseline 2022-'23 budget<sup>1</sup>, plus an extra \$250 that the grant will match at a 2-for-1 basis, resulting in a total spendable amount of **\$32,651**.
3. Use of the funds is at the Board's discretion, so long as it goes toward music.
4. The Board should recommend the grant to the congregation at the June Cong Meeting, along with the other grants.

Respectfully,

The Planned Giving Committee  
Alisa Guralnick  
Mark Tuller  
Chris Butler

April 26, 2023

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<sup>1</sup>The total amount dedicated to music at the Fellowship in the 2022-23 official budget is \$31,421, as follows:

Music Program Expense COM.MUS03	2,000
Music Director Wages PER.MUS.01	16,500
Music Director P/R Tax PER.MUS.0	1,262
Accompanist Wages PER.MUS.11	10,830
Accompanist P/R Tax PER.MUS.12	828
<b>TOTAL</b>	<b>31,421 (rounded)</b>

Using the Labor Dept's CPI-U calculator, we took \$31,421 at the month of adoption of the 2022-23 UUFSD budget (June 2022) and inflation-adjusted it to the most recently available month (February 2023) to arrive at a qualifying "basic funding" amount of \$31,901, which needs a further \$250 to become \$32,151 to attract the full \$500 grant.

**Music Program Fund,**  
for extra support of music and music personnel at UUFSD

This is a restricted Endowment subdivision for making grants to the music program to enrich and supplement funding budgeted from current funds. The donors intend for the Music Program Fund to provide *enhanced* financial support for the music program, and not to reduce or replace funding levels provided in the budget.

To meet this intention, the following minimum threshold formula must be met for grants:

- In any year, if the Board adopts a budget from current revenues that contains basic funding for the music program (as defined below) and any amount of additional funding above basic funding, then the Music Program Fund shall make enrichment grants at a 2-to-1 ratio matching the additional amount (up to what is permitted by Endowment balances and spending limits).
- “Music program” means any UUFSD activity or expense related to music, including the Music Director, choir, Accompanist, Music Committee, band, concerts, equipment, sheet music, etc.
- “Basic funding” means an inflation-adjusted amount equal to the music program funding in the 2022-23 UUFSD budget (\$31,421), using the Consumer Price Index-All Urban Consumers (CPI-U). Thus, in any future year “basic funding” is the cumulative CPI-U adjustment of \$31,421 since 2022.
- *Example:* In a hypothetical future year, the “basic funding” amount is calculated to be \$33,500 (inflation-adjusted \$31,421). The Board chooses to adopt a budget allocating \$36,000 to the music program from current revenues, meaning \$2,500 is additional to basic funding. The Music Program Fund matches the additional funding at a 2:1 ratio for a \$5,000 grant (limits permitting), resulting in \$41,000 spendable funds.

The minimum formula is specifically intended to incent the Board to adopt basic funding each year, as well as additional funding to attract a grant. If the Board adopts an amount equal to or less than basic funding, no grant shall be made. The intention of the donors is to be respected. If necessary in the entirety of the circumstances, the Planned Giving Committee may use different but not lower minimums. (In exceptional cases where the minimum threshold must be lowered, a super-majority 75% Congregational approval is required.) The Congregation may simultaneously adopt the Board’s budget and the enrichment grants. The music program may accept current donations apart from this sub-fund.

-End-

## ARTICLE XI: ENDOWMENT FUNDS

### SECTION 1: PURPOSE AND ESTABLISHMENT

The work of this Fellowship can be strengthened through gifts (cash, stocks, bonds, and real estate): charitable bequests in wills, charitable remainder and other trusts; pooled income funds; charitable gift annuities; and assignment of life insurance and retirement plans. It is the desire of the Fellowship to encourage, receive and administer such gifts in a manner consistent with the wishes of the donors and grantors, and in accord with the policies of the Fellowship. Therefore, the Fellowship hereby establishes a separate Endowment Fund (hereafter the “FUND”) to be administered and managed and its monies expended independent of the annual operating budget. The ~~Planned Giving Committee~~ Endowment Committee (hereafter the “COMMITTEE”) shall be the custodian of the Endowment Fund and shall act in accordance with all terms of the ~~Planned Giving-Endowment Committee~~ Policies and Procedures and applicable Board resolutions.

### SECTION 2: FUNDING

(1) All gifts that designate the Endowment Fund are deposited fully into the FUND. Any undesignated gift or bequest to the Fellowship will be deposited into the operating account up to an amount equal to three percent (3%) of the current annual operating budget. Any amount remaining from the undesignated gift or bequest in excess of that three percent (3%) will be deposited into the unrestricted portion of the Endowment Fund.

(2) All assets of the Endowment Fund shall be kept separate from the operating funds of the Fellowship. Security of the funds is a primary requirement.

(3) There shall be ~~three~~-subdivisions in the FUND as follows:-

- a. The Unrestricted Fund, which is to receive all unrestricted gifts.
- b. The Outreach/Service Fund, which is to receive gifts for which the donor designated social justice and community outreach uses, including, but not limited to, grants to UU camps and conferences, theological schools, local social service agencies or institutions to which this congregation relates and to special programs designed for those persons in our community who are in spiritual and/or economic need.
- c. The Buildings/Grounds Fund for the physical plant of UUFSD, which is to receive gifts designated for, but not limited to, major capital expenditures or significant renovation, improvement or maintenance projects related to the buildings and grounds, not covered by the regular maintenance budget.
- e.d. The Music Program Fund, which is to receive gifts designated for enhanced support of music activities of UUFSD not covered by the regular operating budget, as provided for by applicable Board resolutions and Policies and Procedures.

~~d.e.~~ Should restricted gifts be received which do not fall into one of the above categories, the Board, after considering the recommendation of the COMMITTEE, may create another subdivision in which to place such gifts.

(4) The subdivided funds may be co-mingled for ease of investment management. The COMMITTEE shall separately account for each of these funds, attributing to each its proportionate share of changes in investment values.

(5) The Board may refuse gifts with restrictions which it deems unmanageable by the Fellowship, which are inconsistent with the primary mission and purpose of the Fellowship, which exposes the Fellowship to liabilities that pose a hardship on the Fellowship resources, or which threaten the ability of the Fellowship to maintain its tax-exempt status.

(6) The Board shall be responsible for all decisions regarding the disposition of donations of real estate or other non-liquid assets.

### SECTION 3: MANAGEMENT OF THE FUND

#### (1) THE ~~PLANNED GIVING ENDOWMENT~~ COMMITTEE

- a. The COMMITTEE is charged with the further responsibilities of educating the congregation about planned giving options, encouraging and acknowledging donations, providing recognition of donors to the FUND, and recommending programs for funding to the Board.
- b. The ~~Planned Giving Endowment~~ Committee shall be appointed by the Board and shall consist of at least three (3) members, all of whom shall be voting members of UUFSD. Except as herein limited, the term of each member shall be three (3) years. Terms shall be staggered to provide continuity from year to year. The Minister, the Fellowship Treasurer and a liaison member from the Board shall be advisory (non-voting) members of the COMMITTEE. No more than one-half (½) of the voting members of the COMMITTEE may be members of the Board
- c. No member shall serve more than two consecutive three-year terms on the Committee. After a lapse of one (1) year, former COMMITTEE members may be reappointed.
- d. The COMMITTEE may request other members of the congregation to serve as advisory members. The committee may provide for professional counseling on investments or legal matters as it deems to be in the best interest of the FUND. Such Management expenses shall be taken from the annual distribution amount or undistributed capital appreciation of the FUND.
- e. The Board may terminate a member's appointment if it finds that the member has not acted in accordance with the Policies and Procedures of the ~~Planned Giving Committee.~~ COMMITTEE.
- f. Members of the COMMITTEE shall not be liable for any losses which may be incurred upon the investments of the assets of the FUND except to the extent that

such losses arise out of acts or omissions of willful misconduct or gross negligence. No member shall be personally liable as long as she or he acts in good faith and with ordinary prudence. Each member shall be liable only for his/her own willful misconduct or omissions and shall not be liable for the acts or omissions of any other member. No member shall engage in any self-dealing or transactions with the FUND in which the member has direct or indirect financial interest. Each member shall at all times refrain from any conduct in which her or his personal interests would conflict with the interests of the Endowment Fund.

## (2) INVESTMENT OF THE FUND

Investment of the FUND shall be managed by the Unitarian Universalist Common Endowment Fund (UUCF) Association (UUA) consistent with its policies of socially responsible investment. The expense of this management shall be paid from the Endowment Fund FUND.

## SECTION 4: DISTRIBUTIONS FROM THE ENDOWMENT FUND

### (1) DISTRIBUTIONS OF INCOME

- a. The COMMITTEE will record distributions from each of the sub-funds.
- b. Unrestricted gifts to the FUND shall accumulate and income shall be reinvested until a fair market value of \$100,000 is achieved, after which annual distributions may commence. However, should the fair market value of the FUND subsequently decline to less than \$100,000, distributions shall be made only upon a two-thirds ( $\frac{2}{3}$ ) majority vote of approval from the congregation. Restricted gifts shall also be included in the accumulation to \$100,000 unless contradicted by the restriction of the gift.
- c. Except where specifically authorized otherwise in the terms of a gift, distributions from the FUND will be made annually, in amounts not to exceed five percent (5%) of the average fair market value of the FUND over the previous thirteen quarters. If less than five percent (5%) is distributed in one year, the COMMITTEE may distribute more than five percent (5%) in a subsequent year, as long as the distributions do not exceed five percent on a cumulative basis.

In making distributions, the COMMITTEE and Board shall consider, if relevant, the duration and preservation of the FUND; the purposes of the FUND and sub-funds and the Fellowship; general economic conditions; the possible effect of inflation or deflation; the expected total return from income and appreciation of investments; the Fellowship's investment policy; and other resources of the Fellowship.

No more than twenty percent (20%) of the annual distribution from the FUND may be spent on the annual operating budget of the congregation. No more than twenty percent (20%) of the annual operating budget of the congregation may be funded by distributions from the FUND. In particular, temporary, difficult circumstances, where the integrity of gift restrictions permit, the congregation may approve a

## By-Laws amendments recommended by the Planned Giving Committee April 2023

distribution greater than twenty percent (20%) in a vote of seventy-five percent (75%) of the Voting Members ~~in attendance~~ present at a congregational meeting for which a quorum has been established.

- d. Annual distributions shall be made on a fiscal year basis from July 1 to June 30, and may be made from all ~~three sub-~~ sub- funds, or from just one or ~~two~~ some of the sub-funds.
- e. Suggestions or requests for funding from ~~m~~ Voting Members and committees of the congregation are to be submitted to the COMMITTEE by ~~January 30th~~ April 15<sup>th</sup> ~~of each~~ for the following fiscal year. An ~~a~~ Application shall be no longer than one typewritten page and provide the project's name, purpose, cost, ~~and~~ and how it is proposed to be carried out and evaluated, and how it supports Unitarian Universalist principles and values.
- f. Programs to receive allocations from the FUND shall be recommended by the COMMITTEE to the ~~BOARD~~ Board. Distributions from the funds that have been approved by the Board will be brought to the June congregational meeting for approval by the congregation for the following fiscal year, in accordance with the rules of voting established in Article V, Section 5, and subject to Section 4(2) below.

### (2) DISTRIBUTIONS OF PRINCIPAL

- a. Principal is defined as the total original value of all gifts made to the FUND.
- ~~a. Principal is defined as the "historic dollar value," the combination of the original gifts' value, additional gifts and reinvestment of earnings.~~
- b. Distributions of principal require approval by 75% of the Voting Members ~~in attendance~~ present at a congregational meeting for which a quorum has been established, as defined by Article V, Section 4. In addition, whenever the cumulative distribution of principal approved in any twelve-month period amounts to more than twenty percent (20%) of current principal, confirmation by a seventy-five percent (75%) majority of voting members present ~~in attendance~~ at a subsequent congregational meeting held at least twenty-eight (28) days later is required. For this second action all Voting Members shall be notified as required in Article V, Section 3, and a quorum is thirty percent (30%) of eligible voters.
- c. Specific expenditures of principal monies for projects that have already been approved by the Voting Membership require authorization by a two-thirds vote of the Board.

### SECTION 5: DISPOSITION OR TRANSFER OF FUND

In the event that a merger or dissolution of UUFSD is being implemented, the Fellowship Board will decide upon the disposition or transfer of the FUND in conformity with the approved congregational by-laws. Consultation with the Association may be desirable for continuation of the UUFSD Endowment Fund obligations to grantors of gifts. If the congregation shall cease to

By-Laws amendments recommended by the Planned Giving Committee April 2023

function as an active Congregation with property still held by the UUA, thereafter such remaining property shall forever become the property of the Unitarian Universalist Association to be held by the Association for its general purposes.

## Endowment Fund proposed By-Laws changes

Based on several years of grant cycles, we propose the following changes to the By-Laws, shown in the attached red-line markup:

- **Change name to Endowment Committee**, which is easier to understand and more convenient than “Planned Giving Committee,” and more accurately describes the Committee’s activities, including while-living giving, education, publicity, grant-making and follow-up, investment monitoring, and recognition.
- **Change grant-making calendar to April 15, etc., and clarify fiscal year calendar.** Grant applications are to be received until April 15, which is more workable than the current January 30, and the annual cycle is clarified to coincide with the Fellowship’s fiscal year ending June 30.
- **Clarify UU Common Endowment Fund (UUCEF)** as the investment vehicle, which aligns with the current UUA investment structure.
- **Add Music Program Fund**, which was adopted by the Board as an Endowment sub-fund and is now funded and on deposit at the UUCEF.
- **Add supporting UU principles and values** as a grant-making criterion.
- **Update standards for grant-making to current law.** “Historic dollar value” was repealed by California in 2009 as a legal concept, replaced by a more flexible set of standards, as indicated in the markup.

If the Board agrees, it should approve and recommend these changes to the Cong Meeting in June for adoption.

Respectfully submitted by the Planned Giving Committee,  
Mark Tuller  
Chris Butler  
Alisa Guralnick

April 26, 2023

# UNITARIAN UNIVERSALIST FELLOWSHIP OF SAN DIEGUITO



Rev. Ellie Kilpatrick, Minister  
Denise Clark, Congregational Administrator

P.O. Box 201, Solana Beach, CA 92075  
Telephone: 858.755.9225  
web:[www.uufsd.org](http://www.uufsd.org)

May 1, 2023

Douglas Paterson Architect  
4653 Carmel Mountain Road  
Suite 308/305  
San Diego, CA 92130

Subject: Request for Proposal

Dear Doug,

The Unitarian Universalist Fellowship of San Dieguito (**The Fellowship**) wishes to engage a local architect to:

- Compose and lead a design team to refine the design requirements of the approved Conditional Use Permit Modification (**CUP**) package prepared by Domusstudio Architecture (**Domus**), and as amended and agreed to by The Fellowship
- Work interactively with The Fellowship as needed to revisit prior design concepts and revise and confirm the desired Scope of the Work
- Develop a construction document package coordinated among the design consultants that is suitable for submission to The City of Solana Beach (**COSB**) and The California Coastal Commission (**CCC**) for the purpose of obtaining concurrently a building permit and a Coastal Development Permit (**CDP**) from those authorities, respectively.
- Assist the Fellowship in obtaining price proposals from contractors and assessing construction costs for the work
- Administrate the contracts for construction

Construction is anticipated to occur based on the availability of present and future funding. The Fellowship cannot determine at this time when construction might occur for each or any of the project elements. The Fellowship's first priority and intent however is to construct the parts of the fire truck turnaround to satisfy the COSB Fire Marshal's requirements, then allowing The Fellowship to pursue construction of other elements of the project as they may deem appropriate. Delivery method for construction has not been determined at this time and may involve several distinct approaches, based on optimizing design and construction of the various elements.

For the benefit of The Fellowship, by Council Resolution the COSB has agreed to allow The Fellowship to submit specific parts of the work in Phases for review and permitting. See Phase descriptions noted in Scope of the Work. The CCC however expects to review one comprehensive package reflecting all of the previously approved work scope. The CCC has issued a current Notice of Intent to issue a CDP.

A budget for the project or any part thereof has not been established, however The Fellowship is in possession of several recent, independent budget estimates based on the Domus CUP package, providing generalized construction values for market conditions as of January 1, 2023. Detailed cost analysis to reflect market conditions at time of permit may be required.

Your firm is invited to make a proposal for professional services related to the information and project requirements described herein.

### **Scope of the Work**

The project requirements are based on the Domus CUP package with exceptions noted, and generally include the following elements:

- The expansion of the existing lower parking lot to accommodate a fire truck turnaround at the west end, the addition of 19 new parking stalls at grade with keystone retaining elements as required, new pavement restriping, a concrete block enclosure for trash and storage, access stairs to the neighboring Montessori school, infrastructure as required for the future addition of new restroom facilities and AV Kiosk at the Amphitheater, and associated landscaping and lighting. The COSB and The Fellowship refer to this scope of work generally as “Phase 2”.
- The addition of a new, fire-resistive, tensile fabric shade structure over the existing Amphitheater seating, verification of the approach ramps to the Amphitheater from the parking lot to meet accessibility requirements, and expansion of the Amphitheater westward to accommodate an accessible ramp to the stage, reconfiguration of the stage for accessibility, and associated landscaping and lighting. The COSB and The Fellowship refer to this scope of work generally as “Phase 3”.
- Replace the existing AV Booth with the addition of a new single level structure to house 2 accessible toilet rooms and an A/V booth, in addition to associated landscaping and lighting. The new building will be located on a steep slope and construction method has not been finalized. Demolition of the existing building in this location will be required. The COSB and The Fellowship refer to this scope of work generally as “Phase 4”.

Exceptions: The following scopes of work are exceptions to the Domus CUP package or are no longer desired by The Fellowship:

- Do not enlarge the stage in the Amphitheater or remove any existing seating
- Do not add seating at the top (back) of the amphitheater
- Re-assess the Kiosk design to eliminate the dressing room and simplify the building design and construction method
- Delete the stairs proposed by Domus immediately west of the proposed Kiosk
- Verify that the wood ramps from lower parking lot to the amphitheater comply with accessibility in all respects and do not need to be “replaced”.
- Verify exiting requirements from the amphitheater

The following documents will be transmitted to you digitally and comprise the database from which to define the project entitlements, establish the initial basis of design, and the range of professional services and fee required

- This Request for Proposal dated May 1, 2023
- The CUP Domus Package, Revision 4 dated March, 28, 2019
- City of Solana Beach Resolution 2020-029, CUP Modification
- California Coastal Commission Notice of Intent to Issue Coastal Development Permit – 6-17-0713 Extension, dated February 9, 2023 (expires 2/8/24)
- Staff Report City of Solana Beach, CUP Mod 21-003 supporting Resolution 2022-009, Request for Phasing, dated January 26, 2022
- City of Solana Beach Resolution 2022-009, adopted January 26, 2022
- *Initial Study/Environmental Checklist and Mitigated Negative Declaration*, Recon, dated July 16, 2019
- *Geotechnical Investigation Report*, Geocon, dated July 11, 2022,

## **Proposal Requirements**

Your proposal shall include these elements in the following order:

1. A cover letter stating your understanding of the project requirements, that you have the manpower and availability to address the needs of the project as described, and that you have no conflicts of interest that would prevent you from executing work in a manner consistent with the professional standard of care.
2. A list of the design consultants you intend to include in the project team. The Fellowship expects WSP to be engaged as the civil engineer for the project. The Fellowship will confer with the architect to confirm the balance of the design team
3. A description of the design phases you believe are necessary to resolve the design including number and description of Owner/Architect meetings, list of deliverables such as drawings, specifications, renderings, and anticipated design phase durations.
4. A narrative describing any ideas you have for optimizing the design, documentation, permit submission strategies or contracting method(s) that

- may achieve the intent of the project scope in a more effective manner than implied by the Domus package or a traditional design bid build format.
5. A fee matrix for basic services that clearly indicates:
    - Fee for each design phase through permit review that differentiates between architectural and individual consulting disciplines, and a grand total combined fee through permit review
    - A separate fee for all disciplines for construction administration for Phase 2 scope of work, qualified with an assumption for the duration of the construction and which work scope elements are included.
  6. A current hourly rate schedule for all relevant disciplines and job classifications as may be used to determine additional services
  7. A list of any services that are specifically excluded from basic services.

Please do not include any terms and conditions in your proposal submission other than as may be noted in item 7 above. Engagement will be executed using a standard AIA contract document form appropriate to the size and nature of this project.

You are familiar with the site however a pre-proposal site walk may be beneficial which you may request/schedule with an appropriate member of the Fellowship.

Your proposal is due no later than close of business on Monday, May 22, 2023. Format shall be a single .pdf file in 8.5 x 11 portrait orientation using minimum 12-point font.

Please address your proposal to the UUFSD Board and email it to Angie Knappenberger at [angie3886@gmail.com](mailto:angie3886@gmail.com) with copy to Chris Faller [cfaller5@gmail.com](mailto:cfaller5@gmail.com) and Jon Luft [luft.jon@gmail.com](mailto:luft.jon@gmail.com) . The Fellowship reserves the right to reject all proposals, revise the project requirements or scope of work, or cancel or revise the Request for Proposal.

The Fellowship appreciates the time it takes to prepare a proposal, and we thank you for your interest in this project. We take our commitment seriously and look forward to receiving your proposal.

Sincerely,



Jon Luft  
UUFSD - Dream Builders

Copy: Angie Knappenberger  
Chris Faller

# CALIFORNIA DEPARTMENT OF JUSTICE

## Application for Authorization Pursuant to Penal Code Section 11105.3

(Youth Organizations - Human Resource Agencies)



### BUREAU OF CRIMINAL INFORMATION AND ANALYSIS

#### Mail Completed application to:

California Department of Justice  
Applicant Information and Certification Program  
P.O. Box 903387  
Sacramento, CA 94203-3870

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## **AUTHORIZATION FOR CRIMINAL HISTORY INFORMATION**

California Penal Code Section 11105.3 provides that a human resource agency or an employer may request criminal record information from the California Department of Justice (DOJ) for a person who applies for a license, employment, or volunteer position in the human services field. Information released by the DOJ is restricted to arrests resulting in conviction or arrests which are pending adjudication for the crimes as specified in Welfare and Institution Code section 15660.

"Human resource agency" is defined as a public or private entity responsible for determining the character and fitness of a person applying for a license, employment, or as a volunteer within the human services field that involves the care and security of children, the elderly, the handicapped, or the mentally impaired.

"Employer" is defined as any nonprofit corporation or other organization specified by the Attorney General in which employees or volunteers have supervisory or disciplinary power over a minor or person under his or her care and are responsible for the care and security of these individuals.

Throughout this package, there is a reference to licensing. The DOJ is not a licensing agency and background checks pursuant to Penal Code section 11105.3 do not meet licensing background requirements.

In order for us to determine whether your organization meets the requirements to obtain state criminal history information pursuant to Penal Code section 11105.3, please complete and return the attached application package. Incomplete forms will be returned unprocessed. Please do not submit your fingerprint(s) until approval has been granted.

**AUTHORIZATION FOR CUSTODIAN OF RECORDS INFORMATION  
IMPORTANT - PLEASE READ CAREFULLY**

Pursuant to Penal Code section 11102.2(b); the DOJ established a confirmation program to process fingerprint-based background responses on individuals designated by applicant agencies to serve as Custodian of Records (COR). Effective January 1, 2011, no person shall serve as an agency COR unless they have been confirmed by the DOJ. Criminal justice agency personnel who have undergone a state and federal criminal record background check for their agency (currently employed) are exempt from these requirements.

As such, before any applicant agency can become fully authorized by the DOJ, the DOJ must first confirm/approve the agency's designated COR.

A COR means the individual designated by an agency as responsible for the hiring decisions, and for the security, storage, dissemination, and destruction of the criminal records furnished to the agency, and who serves as the primary contact for the DOJ for any related issue. Each agency must designate at least one COR.

Applicants applying for COR confirmation must meet the following criteria:

1. Be at least 18 year old;
2. Complete and submit the Custodian of Records Application Form (BCIA 8374)

The confirmation process will consist of a completed form BCIA 8374 which is included in this packet and must be returned along with all required documents.

Additionally, the COR must submit fingerprint images to the DOJ via Live Scan and pay the \$49 state/federal background check fees along with a \$30.00 confirmation fee (A total of \$79 in fees will be collected at the Live Scan Satellite Location).

Included in this packet is a pre-filled Custodian of Records Request for Live Scan Service form (BCIA 8016) ready to be utilized to fulfill this requirement once your agency is authorized. **PLEASE NOTE:** You must enter all of your agency's information in the "Employer (Additional response for agencies specified by statute)" field, with the exception of the Mail Code on the BCIA 8016 form in order for the DOJ to process your submission.

Confirmation will be denied or revoked on those applicants convicted of a felony offense, or any other offense that involves moral turpitude, dishonesty, fraud or that impacts the applicant's ability to perform the duties or responsibilities of a Custodian of Records. The DOJ will retain the fingerprints for subsequent arrest notification pursuant to Penal Code section 11105.2. COR confirmation, denial, or revocation letters will be mailed by the DOJ to the designated applicant agency, as identified on the application by the COR applicant.

**PLEASE NOTE: DO NOT SUBMIT COR FINGERPRINT IMAGES UNTIL YOU HAVE RECEIVED CONFIRMATION FROM THE DOJ THAT YOUR AGENCY IS AUTHORIZED.**

After submitting this application, the DOJ's Applicant Information and Certification Program at [authorizationquestions@doj.ca.gov](mailto:authorizationquestions@doj.ca.gov) will determine if your agency is authorized and ready for the next step. Beginning the confirmation process by submitting your COR fingerprint images before your agency is officially authorized to request criminal record information will result in fees being assessed, which will not be refunded if your agency is determined as not having requesting authority.

## **APPLICANT LIVE SCAN OVERVIEW**

Applicant Live Scan is a system for the electronic submission of applicant fingerprints and the subsequent automated background check and response. Live Scan technology replaces the process of recording an individual's fingerprint patterns manually through a rolling process using ink and a standard 8" x 8" fingerprint card. Fingerprints can be digitalized through an electronic process (Live Scan), enabling the electronic transfer of the fingerprint image data, in combination with personal descriptor information, to central computers at the DOJ. This transfer of information takes place in a matter of seconds, instead of the days required to send hard copy fingerprint cards through the U.S. mail. The applicant visits an Applicant Live Scan Satellite location where the fingerprint images and related data are electronically transmitted to the DOJ. The recent, rapid expansion of the number of applicant Live Scan devices has resulted in an ever increasing volume of applicants availing themselves of Live Scan technology.

With Live Scan, the applicant is provided with a form BCIA 8016. The applicant can obtain a list of nearby Live Scan Satellite locations on the Attorney General's website at: <https://oag.ca.gov/fingerprints/locations>. At these locations, a trained, certified operator enters the information from the form BCIA 8016 into the Live Scan terminal and initiates the Live Scan fingerprinting process. After successful electronic capture of the fingerprint images and the accompanying data, the information is electronically transmitted to the DOJ.

Once the fingerprints and data are received by the DOJ, they are electronically processed by the DOJ Global Transaction Controller (GTC). Most Live Scan submissions that have no data or quality errors and do not result in possible criminal history matches are processed automatically and are responded to electronically. Live Scan transmissions requiring analysis of a criminal record are electronically sent to the Applicant Response Unit for analysis and dissemination. Live Scan submissions are responded to by electronic mail, and/or U.S. mail when the electronic mail response is not available.

The DOJ will also coordinate other electronic processes resulting from the automated submissions of fingerprints, including forwarding the fingerprints to the Federal Bureau of Investigation (FBI) (if required), and coordinating the collection of associated fees.

We sincerely hope that this information will be useful and will answer your questions about the electronic processing of fingerprints in California.

**CALIFORNIA DEPARTMENT OF JUSTICE  
REQUEST FOR AUTHORIZATION TO RECEIVE STATE SUMMARY CRIMINAL HISTORY  
INFORMATION PURSUANT TO PENAL CODE SECTION 11105.3  
YOUTH ORGANIZATIONS - HUMAN RESOURCE AGENCIES**

Contributing Employer/Agency Name: \_\_\_\_\_  
(Legal Name of Agency/Organization)

Note: Contributing Agency/Organization must have a physical address.

Mailing Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Physical Address (If different): \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone #: \_\_\_\_\_

E-mail: \_\_\_\_\_ Fax #: \_\_\_\_\_

Are you a non-profit organization?  Yes  No

**If yes, you must attach proof of non-profit status, e.g., IRS letter 1045; 1050; FTB 4206 or photocopy of an IRS letter granting exemption under 501(c)(3) Internal Revenue Code); or a document from the Secretary of State that has been endorsed showing non-profit status.**

**Penal Code 11105.3 does not apply to:**

1. Background checks on staff, pursuant to section 11105.3, do not meet state or local licensing agencies' background requirements.
2. Public schools must background non-certified personnel and volunteers pursuant to section 45125 of the Education Code.
3. Charter schools must background all non-certified personnel and volunteers pursuant to section 45125 of the Education Code.
4. Private schools must background all personnel, pursuant to section 44237 of the Education Code. Volunteers must be background pursuant to section 45125.01 of the Education Code.
5. Contractors that provide services to public and/or private schools pursuant to 45125.1 and/or 33192 of the Education code.

**Please describe the services your organization provides and the reason criminal record background checks will be conducted pursuant to Penal Code Section 11105.3 in the square box below.**

**DEPARTMENT OF JUSTICE**  
**REQUEST FOR AUTHORIZATION TO RECEIVE STATE SUMMARY CRIMINAL HISTORY**  
**INFORMATION PURSUANT TO PENAL CODE SECTION 11105.3**  
**YOUTH ORGANIZATIONS - HUMAN RESOURCE AGENCIES**

This application is to conduct background checks for **(you must check at least one)**

- Employees       Volunteers       Employees and Volunteers

Identify the recipients of your organization's services. **Please check all that apply.**

- Children       Elderly       Handicapped       Mentally Impaired

1.  Yes  No Does your agency or organization provide direct services or use the services of volunteers/employees in positions that have immediate supervisory or disciplinary power over a minor or person under his or her care and are responsible for the care and security of these individuals?

2.  Yes  No Is your organization/agency responsible for the conduct and determining the fitness of the volunteer/employee providing the services? If no please explain:

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3.  Yes  No Are the employees/volunteers referred by your agency/organization to other entities where they provide your services?  
 Schools     Residential Homes     Care Centers     Other

---

4.  Yes  No Does your agency/organization pay the employees? If other than your agency/organization please explain:

5.  Yes  No Are the individuals you want to background subject to licensing where fingerprinting and a criminal background check are a requirement of a state or local agency? Example: Commission on Teachers Credentialing, Board of Nursing, Department of Social Service. If yes, please give name of licensing agency.

---

6.  Yes  No Is your organization a non-public school or non-public agency that has an affidavit on file with the State Department of Education?

**I declare under penalty of perjury that the foregoing is accurate to the best of my knowledge.**

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

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_



## REQUEST FOR CONTRIBUTING AGENCY ORI AND/OR RESPONSE MAIL CODE

In order to submit applicant fingerprints via Live Scan, you must have an Originating Agency Identifier (ORI) code to identify your agency. In order to receive responses electronically, you must request a Response Mail Code. Note that electronic responses will be sent to a secure electronic mailbox, from which you will retrieve your messages. **In order to receive a Mail Code, you must have a completed form BCII 9005, Subscriber Agreement, on file with the Department of Justice (DOJ) or returned with this request.**

Request for ORI

Request for Electronic Response Mail Code

Contributing Agency Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Your projection for monthly applicant submissions: \_\_\_\_\_

Contact Person Name: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Please check the box(es) for the type(s) of applicants for whom you will be submitting:

Employment \_\_\_\_\_  
Title or Position (i.e., Classified Employee)

License, Certification, Permit \_\_\_\_\_  
Type of License, Certification, Permit

\_\_\_\_\_  
Identify Licensing Agency as it would appear on fingerprint card (i.e., Department of Social Service)

Volunteers

We request that all responses be sent electronically to the same secure mailbox.

We request separate secure mailbox(es) for the following application type(s);

Employment

License, Certification, Permit

Volunteers

ORI's and mail code number(s) will be assigned by the DOJ and the information returned to you on form BCIA 9003, Notification of ORI, Mail Code, and/or Billing Number.



**GUIDELINES FOR COMPLETING FORM BCII 9001,  
"REQUEST FOR CONTRIBUTING AGENCY ORI AND/OR RESPONSE MAIL CODE"**

FIELD	INSTRUCTIONS
1) Service(s) requested	Check the appropriate box(es). You must request an ORI if you do not already have one and you intend to submit via Live Scan. You must request an electronic response mail code if you want your responses to be sent electronically to a secure mail server instead of by U.S. mail. Your agency will be assigned an ORI and/or mail code by the DOJ.
2) Contributing agency name, mailing address, and projected monthly	Enter the agency/organization's information.
3) Contact person	Enter the name of the person within your agency that DOJ can contact if any questions arise.
4) Phone number	Enter the contact person's phone number.
5) Employment	Check this box if you will be submitting fingerprints of potential employees and enter the title or position of employees to be fingerprinted. If you will submit for all employees, state "all employees".
6) License, Certification, Permit	Check this box if you will submit for licenses, certifications, or permits and enter the types of licenses, etc. you issue.
7) Identify licensing agency	If you checked the license, certification, and permit box, please provide the licensing agency name as it would appear on a fingerprint submission.
8) Volunteers	Check this box if you will be fingerprinting volunteers.
9) Electronic response mailbox	Check this box if <b>ALL SUBMISSIONS</b> will be going to the same electronic response mailbox.
10) Designate more than one electronic response	If responses in your agency are designated to different locations based on the application type, and you want a separate mailbox for any or all of your applicant types, check the appropriate box(es).



## NOTIFICATION OF ORI, MAIL CODE, AND/OR BILLING NUMBER

CONTRIBUTING Agency - please provide a complete address in the space below. This form will be returned to you with your ORI, Mail Code, and/or Billing Number information.

Contributing Agency Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Listed below are the ORI, Mail Code, and/or Billing Number assigned to your agency for applicant responses.

ORI \_\_\_\_\_

Mail Code \_\_\_\_\_

Billing Number \_\_\_\_\_

If separate response locations were requested, assigned codes are as follows:

Type	ORI	Mail Code
Employment		
Licensing, Certification, or Permit		
Volunteer		

The following are the ONLY applicant types with CJIS codes your agency is authorized to submit to the DOJ for background check purposes. The CJIS Code is for internal use only and is not utilized on the BCIA 8016 form.

	Applicant Type	CJIS Code
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Should your address or agency information change in the future, you must notify the DOJ immediately. Please visit the DOJ's website to obtain form BCIA 8386, Applicant Submitting Agency Request to Change.

## APPLICANT LIVE SCAN BILLING PROCEDURES

### **\*\*\* Applicant Agencies are not required to complete the Billing Account Application (CJIS 9000) if its applicants will be paying the DOJ fees at the Live Scan Location \*\*\***

The Department of Justice (DOJ) has developed the following procedures for the billing and collection of fingerprint fees. The first requirement in the applicant Live Scan Billing process is to provide the DOJ with billing authorization to allow fee collection for services provided. Agencies must provide the following:

- \*All applicant agencies who wish to be billed for submitting fingerprints via Live Scan must complete form CJIS 9000.
- \*Non-state Live Scan agencies (e.g., public schools) must complete a Memorandum of Understanding.
- \*State agencies (e.g., Social Services) with Live Scan devices must complete a new Interagency Agreement even if they currently have one.

The approved agencies will be assigned a DOJ billing number to be used for background check fees. The DOJ billing number cannot be used for the rolling fees. The following actions must occur in order for the DOJ to generate a monthly invoice for services and to ensure that the correct agency is billed for services received.

- \* The Live Scan operator must input a customer billing number on every applicant Live Scan transmission sent to the DOJ. The customer billing number keyed should be either the number for the Live Scan agency or the licensing applicant agency, to be determined as follows:
  - > **Applicant Agency** - The requesting agency is responsible for the information entered on the form BCIA 8016 provided to the applicant. If the billing number is entered on the Contributing Agency Section (in the area title "BIL") of the form BCIA 8016, the Live Scan operator will enter the billing number and the requesting agency will be billed. If the requesting agency does not want to be billed for the applicant, "APPLICANT MUST PAY" is entered on the form BCIA 8016 in place of the billing number.
  - > **Live Scan Agency** - If the Live Scan agency collects cash, credit, or a check on behalf of the DOJ for payment of the background check fees, the Live Scan operator will enter the Live Scan Site billing number. The Live Scan Site will be billed by the DOJ for the background fees collected.
  - > Please note - If the applicant is fee exempt, the Live Scan operator must still enter the Live Scan agency's customer billing number into the transmission. No charges will be billed to the agency for fee exempt transmissions.
  - > If the applicant is not fee exempt, does not pay for services, and there is no billing number on the Request for Live Scan Service form, the Live Scan operator should not fingerprint the applicant.
  - > The DOJ Accounting Office will generate invoices based on the Live Scan transmission information (30) thirty days in arrears. Based on the monthly billing cycle, each agency will be billed for transmissions occurring between the first day and the last day of the prior month. The agency will generally receive invoices within the first (15) fifteen working days of the month.

## APPLICANT LIVE SCAN BILLING PROCEDURES (continued)

- > The Operations Support Program, Billing Unit (BU) will bill for fingerprint transmissions on a monthly basis. To begin receiving monthly fingerprint billings along with a billing detail, your agency must have both an Agency ORI number and a customer billing number. If you do not have an ORI number, complete this packet and mail the packet including form CJIS 9000 to DOJ. If you already have an ORI number, call (916) 227-3870 (Option #4) and in approximately 1-2 weeks you will receive the assigned customer billing number. The monthly billing detail report will consist of the applicant's name, fingerprint date, and total fingerprint fees billed.
- > Payment to DOJ is due upon receipt of the invoice. If there are discrepancies, please complete form BCII 9006 - Credit Request - Applicant Live Scan Fingerprint Billing and fax to BU at (916) 227-1149, listing the applicant(s) in dispute. The Credit Request form is available on the internet at <http://ag.ca.gov/fingerprints/forms/BCII%209006.pdf>. Please pay promptly for those charges with which you agree, and short pay the invoice by the amount of charges in dispute. The BU will notify the agency if it denies the credit request. NOTE: If an agency does not submit a credit request, the agency will be held liable for the outstanding charges. Failure to remit payment in a timely manner may result in the agency being sent to collections and having its customer billing number disabled. The DOJ will not accept credit requests received three or more years after final payment of an invoice. Credit and rebill information will appear at the bottom of the monthly billing detail report the month following a credit request.
- > The applicant agency will be responsible for payment if the fields on form BCIA 8016 are not completed correctly. Therefore, it is extremely important that the agency follow the form BCIA 8016 Instructions available on the internet at [http://ag.ca.gov/fingerprints/forms/BCIA\\_8016\\_8016A\\_instructions.pdf](http://ag.ca.gov/fingerprints/forms/BCIA_8016_8016A_instructions.pdf).
- > The Live Scan agency will be responsible for payment if the operator fails to input a customer billing number or inputs an incorrect billing number and/or applicant agency information, and the DOJ cannot determine which agency should be billed for the transmission.

Please call the BU at (916) 227-3870 for any of the following:

1. Establish a customer billing number (only if the ORI and electronic response codes have already been established).
2. Update billing contact information.
3. To resolve Live Scan Billing discrepancies.



### BILLING ACCOUNT APPLICATION

Business/Agency Type:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> School District                 | <input type="checkbox"/> Private School                                 | <input type="checkbox"/> Corporation                            |
| <input type="checkbox"/> Sole Proprietorship/Partnership | <input type="checkbox"/> Non-Profit Organization                        | <input type="checkbox"/> Local Government                       |
| <input type="checkbox"/> Federal Government              | <input type="checkbox"/> State Government<br>(Fund Code Required) _____ | <input type="checkbox"/> Federally-Recognized Tribe or Designee |

**ALL APPLICABLE INFORMATION MUST BE COMPLETED LEGIBLY. INCOMPLETE APPLICATIONS WILL BE RETURNED.**

Business/Agency Name: \_\_\_\_\_

Business/Agency Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP Code: \_\_\_\_\_

Federal Tax Identification Number\*: \_\_\_\_\_

Social Security Number (Sole Proprietorship or Partnership)\*: \_\_\_\_\_

\*EITHER a Federal Tax Identification Number OR Social Security Number must be provided.

Authorized Representative: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Facsimile Number: \_\_\_\_\_

Electronic Mail Address: \_\_\_\_\_

I, the undersigned, have the authority to conduct business for the business/agency listed above. I confirm that all the information on this application is true and correct. I give my permission to the Department of Justice (DOJ) to research and confirm all information provided and to request a credit report at any time. I understand this is an agreement to pay the processing fees associated with the electronic transmission of State and/or Federal criminal offender record information requests, including fees incurred by duplicate transmissions or other errors on the part of the above business/agency or its representative(s). Failure to remit payment in a timely manner may result in the DOJ utilizing all information provided on this billing account application for collection purposes; in addition, the DOJ may disable your customer billing number. I agree to the terms of this agreement and understand it will remain in effect until written cancellation is provided by either party with (30) thirty days notice.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**DOJ Use Only**

Input By: \_\_\_\_\_ Account #: \_\_\_\_\_ Received Date: \_\_\_\_\_

Input Date: \_\_\_\_\_ ORI #: \_\_\_\_\_ ACN #: \_\_\_\_\_



## BILLING ACCOUNT APPLICATION

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services Division's Operations Support Program (OSP) in the California Department of Justice collects the information requested on this form as authorized by Penal Code section 11105. OSP uses this information to create a Billing Account for the collection of fees for services rendered. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The California Department of Justice's general privacy policy is available at <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided. This form may not be processed for failure to provide all personal information requested.

**Access to Your Information.** You may review the records maintained by OSP in the California Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to collect fees for services rendered, we may need to share the information you give us with collection agencies should your account become delinquent.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

**Contact Information.** For questions about this notice or access to your records, you may contact OSP by phone at (916) 227-3870, by e-mail at [DOJ.AppBill@doj.ca.gov](mailto:DOJ.AppBill@doj.ca.gov), or via mail at:

California Department of Justice  
Operations Support Program, D-214  
4949 Broadway  
Sacramento, CA 95820  
Attn: Electronic Billing Section



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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### SECURITY OF CRIMINAL OFFENDER RECORD INFORMATION

Criminal Offender Record Information (CORI) is information identified through fingerprint submission to the Department of Justice (DOJ) with a criminal record or "No Record". It is confidential information disseminated to applicant agencies authorized by California statute for the purposes of employment, licensing, certification, and volunteer clearances. The following information describes each agency's responsibility toward accessing, storage, handling, dissemination, and destruction of CORI.

#### Background

Penal Code sections 11105 and 13300 identify who may have access to criminal history information and under what circumstances it may be released.

The DOJ maintains the California Law Enforcement Telecommunications System (CLETS) that provides law enforcement agencies with information directly from federal, state, and local computerized information files. However, restrictions have been placed on the user to ensure that the rights of all citizens of California are properly protected.

Article 1, section 1 of the California Constitution grants California citizens an absolute right to privacy. Individuals or agencies violating these privacy rights place themselves at both criminal and civil liability. Laws governing Californians' right-to-privacy were created to curb, among other things, the excessive collection and retention of personal information by government agencies, the improper use of information properly obtained for a proper purpose, and lack of a reasonable check on the accuracy of existing records. (*White v. Davis (1975) 13 Cal. 3d 757,775.*)

#### Employment Background Checks

It is only through the submission of fingerprints to the DOJ that the true identity of an individual can be established. In a 1977 lawsuit (*Central Valley v. Younger*), the court ruled that only arrest entries resulting in conviction, and arrest entries that indicate active prosecution, may be provided for evaluation for employment, licensing, or certification purposes.

#### Exceptions

Some statutory provisions, such as those relating to youth organizations, schools, and financial institutions, further limit information dissemination to conviction for specific offenses. Records provided for criminal justice agency employment as defined in Section 13101 of the Penal Code are exempt from these limitations. In addition, arrest information for certain narcotic and sex crimes, irrespective of disposition, will be provided for employment with a human resource agency as defined in section 1250 of the Health and Safety Code. Other exceptions are listed in the CLETS Policies, Practices, and Procedures (section 1.6.1).



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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### SECURITY OF CRIMINAL OFFENDER RECORD INFORMATION (continued)

#### Unauthorized Access and Misuse

The unauthorized access and misuse of CORI may affect an individual's civil rights. Additionally, any person intentionally disclosing information obtained from personal or confidential records maintained by a state agency or from records within a system of records maintained by a governmental agency has violated various California statutes. There are several code sections that provide penalties for misuse or unauthorized use of CORI.

#### Authorized Access

CORI shall be accessible only to the Records Custodian and/or hiring authority charged with determining the suitability for employment or licensing of an applicant. The information received shall be used by the requesting agency solely for the purpose for which it was requested and shall not be reproduced for secondary dissemination to any other employment or licensing agency.

The retention and sharing of information between employing and licensing agencies are strictly prohibited. Retention and sharing of information infringes upon the right of privacy as defined in the California Constitution, and fails to meet the compelling state interest defined in *Loder v. Municipal Court (1976) 17 Cal. 3d 859*. In addition, maintenance of CORI separate from the information maintained by the DOJ precludes subsequent record updates and makes it impossible for the DOJ to control dissemination of CORI as outlined in section 11105 of the Penal Code.

CLETS Policies, Practices, and Procedures state that any information transmitted or received via CLETS is confidential and for official use only by authorized personnel (section 1.6.4). The California Code of Regulations, Article 1, section 703, addresses the "right and need" to know CLETS-provided information.

The Bureau of Criminal Information and Analysis (BCIA) recommends that state summary criminal history records, obtained for employment, licensing, or certification purposes, be destroyed once a decision is made to employ, license, or certify the subject of the record. Agencies that either are mandated or permitted by California statute to receive subsequent arrest notifications pursuant to Penal Code (PC) section 11105.2 must complete a Contract for Subsequent Arrest Notification Service (BCII 8049).

Retention of criminal history records beyond this time should be based on documented legal authority and need. Any records retained must be stored in a secured, confidential file. The agency should designate a specific person responsible for the confidentiality of the record and have procedures to prevent further dissemination of the record, unless such dissemination is specifically provided for by law or regulation.



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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As an agency receiving background clearance information in response to the submission of applicant fingerprint cards to the DOJ, you are aware of the regulations regarding the security of the hard copy information that you currently receive. The purpose of this Subscriber Agreement is to restate existing regulations and clarify how they apply to the electronic receipt of this same information via fax or e-mail. There are no new regulations. Items 1, 2, 4, 5, and 7 restate existing regulations relative to receiving hard copy information. Item 2 has been expanded to include electronic information. Items 3 and 6 are intended to clarify these regulations relative to electronic information.

In accordance with section 11077 of the Penal Code, the Attorney General is responsible for the security of criminal offender record information. Section 707(a) of the California Code of Regulations requires that:

**"Automated systems handling criminal offender record information and the information derived therefrom shall be secure from unauthorized access, alteration, deletion, or release. The computer terminals shall be located in secure premises."**

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### SUBSCRIBER AGREEMENT

This agreement is between the \_\_\_\_\_  
and the Department of Justice for the purposes of the exchange of criminal offender record information. The above agrees that:

1. Criminal offender record information and the information derived therefrom shall be accessible only to the records custodian and/or hiring authority charged with determining the suitability of the applicant.
2. Confidential information received electronically or via mail shall be used solely for the purpose for which it was requested and shall not be reproduced for secondary dissemination to any other employment or licensing agency.
3. Retention of CORI is permissible if, after making its initial employment, licensing, or certification decision, the agency has legitimate business need for the information and there are no statutory requirements to destroy such information. Any record information that is retained by the applicant agency must be stored in a secure and confidential file.
4. Criminal history background checks have been completed on all individuals with access or proximity to terminals or fax machines receiving criminal offender record information.
5. Staff with access to criminal offender record information have received training and counseling on the handling of criminal offender record information and have signed employment statement forms acknowledging and understanding of the criminal penalties for the misuse of criminal offender record information (Penal Code sections 502, 11142, and 11143).
6. Reasonable measures shall be taken to locate terminals and fax machines in a secure area to provide protection from unauthorized access to criminal offender record information by other than authorized personnel. Access is defined as the ability to view criminal offender record information on a terminal or on paper.



## APPLICANT FINGERPRINT RESPONSE SUBSCRIBER AGREEMENT

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7. Pursuant to section 702 of the California Code of Regulations, authorized agencies violating this agreement may lose direct access to criminal offender record information maintained by the Department of Justice.

Contributing Agency Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Signature of Agency Official: \_\_\_\_\_

Printed Name of Agency Official: \_\_\_\_\_

Title of Agency Official: \_\_\_\_\_

Date:

**CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION  
CRIMINAL OFFENDER RECORD INFORMATION POLICY  
Use of Applicant Criminal Offender Record Information**

**Head of contributing agency/organization must sign and return document**

This policy has been developed to meet the requirements of the State of California, Department of Justice (DOJ), Division of California Justice Information Services, for any agency that receives Criminal Offender Record Information (CORI).

To ensure the suitability of individuals accessing confidential criminal history records, anyone with access to CORI shall be fingerprinted and processed through the DOJ

The overall responsibility for the administration of this rests with the agency head or person in charge.

- A. Record Security: Any questions regarding the release, security and privacy of Criminal Offender Record Information (CORI) are to be resolved by the agency head or person in charge.
- B. Record Destruction: It is recommended that the state summary of CORI obtained for employment, licensing or certification purposes be destroyed once a decision is made to employ, license or certify the subject of the record. Retention beyond this time, should be based on legitimate business need or statute.
- C. Record Dissemination: CORI shall be used only for the purpose for which it was requested.
- D. Record Storage: CORI shall be securely maintained and accessible only to the agency head and any others designated by the agency head committed to protect CORI from unauthorized access, use, or disclosure.
- E. Record Reproduction: CORI shall not be reproduced for secondary dissemination to any other employment or licensing agency. However, the requesting agency may provide a copy of the DOJ applicant response to the subject of the record.
- F. Training:       **The agency head shall:**
  - 1. Understand and enforce this policy.
  - 2. Be fingerprinted and have a criminal history clearance.
  - 3. Have on file a signed copy of the attached *Employee Statement Form* (which is itself a part of this policy) which acknowledges an understanding of laws prohibiting misuse of CORI.
- G. Penalties: Misuse of CORI is a criminal offense. Misuse of CORI may result in criminal or civil prosecution and/or administrative action up to and including loss of access to information maintained by the DOJ.

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REQUIREMENTS.**

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

Print Name: \_\_\_\_\_ Title: \_\_\_\_\_

Contributing Agency/Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City, State, ZIP Code: \_\_\_\_\_

Physical Address: \_\_\_\_\_

**CALIFORNIA DEPARTMENT OF JUSTICE  
CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION  
CRIMINAL OFFENDER RECORD INFORMATION SECURITY REQUIREMENTS  
Use of Applicant Criminal Offender Record Information**

**Custodian of Records must sign and return document**

**CUSTODIAN OF RECORDS DUTIES**

1. The information provided by the Department of Justice (DOJ) to this agency is **confidential** and shall not be disseminated to any other person or agency not authorized by law. A violation of this section is a misdemeanor (Penal Code section 11142). However, the requesting agency may provide a copy of the DOJ applicant response to the subject of the record.
2. All personnel/individuals with access to Criminal Offender Record Information (CORI) will have a fingerprint background clearance record check completed through the DOJ as required by the California Code of Regulations section 703(d) prior to the submission of fingerprints for employment, licensing, certification, or volunteer purposes.
3. All personnel/individuals with access to CORI will have a signed "Employee Statement Form" on file acknowledging an understanding of laws prohibiting its misuse.
4. All personnel/individuals with access to CORI will be trained in the secure handling, storage, dissemination, and destruction of CORI.
5. My agency/organization will have a written policy for securing access, storage, dissemination, and destruction of criminal record information. This policy will include the steps to be taken to prevent unauthorized access to CORI maintained in our agency files.
6. The DOJ may conduct audits of the authorized persons or agencies using CORI to ensure compliance with state laws and regulations (California Code of Regulations section 702(c)).
7. The information provided by the DOJ will be maintained in a secured area/locked cabinet separate from the employees personnel file and be used only for the purpose for which it was acquired.
8. Our agency/organization will notify the DOJ with regard to any change of agency name, address, telephone number, fax number, Custodian of Records, and contact person.
9. The "NLI Notification Form" will be sent to the DOJ when applicable.
10. Our agency/organization will send an updated "Live Scan Subscriber Agreement Form" to the DOJ signed by our new agency official when applicable.

**On behalf of our agency/organization, I hereby acknowledge that I have read and agree to the above.**

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

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

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Contributing Agency/Organization Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Physical Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_



## CUSTODIAN OF RECORDS APPLICATION FOR CONFIRMATION (Penal Code section 11102.2)

Applicant Information				
Last Name:	First Name:	Middle Name:		
Address:	City:	State:	Zip Code:	
Phone Number:	Date of Birth:	Driver's License/CA ID Number:	Email:	

Agency/Organization Information			
Agency Head:			Phone Number:
Agency Name:		ORI:	Mail Code:
Address:	City:	State:	Zip Code:

Please answer fully the following questions:
1. Does the designated Custodian of Records work for the applicant agency? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, what is the relationship? If no, what is the relationship?
2. Have you ever used a name other than the one on this application? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, please list other names below:
3. Have you ever been arrested in California or any other state and/or are you awaiting adjudication for any offense for which you were arrested? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details below:
4. Have you ever been convicted by any court of a felony or misdemeanor offense in California or any other state? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, disclose the date and place of arrest, whether the conviction was for a felony or misdemeanor, and the sentence imposed:
5. Have you ever been denied a professional license or had such license revoked, suspended, or restricted? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details below:
6. Have you ever been adjudged liable for damages in any suit grounded in fraud, misrepresentation, or in violation of state regulatory laws? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details below:
7. Have you ever failed to satisfy any court ordered money judgment including restitution? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, give details below:

**Misrepresentation or Failure to Disclose Requested Information on this Application  
Is Cause for Denial or Revocation of Confirmation.**

Certification
I certify under penalty of perjury under the laws of the State of California to the truth and accuracy of all statements, answers, and representations made in the foregoing application, including all supplementary statements.
<div style="display: flex; justify-content: space-between; margin-top: 20px;"> <div style="width: 60%; text-align: center;"> <div style="background-color: yellow; height: 20px; width: 100%;"></div> <p style="margin: 0;">Signature of Applicant</p> </div> <div style="width: 35%; text-align: center;"> <div style="background-color: yellow; height: 20px; width: 100%;"></div> <p style="margin: 0;">Date</p> </div> </div>

California Department of Justice Bureau of Criminal Information and Analysis Custodian of Records Unit P.O. Box 903417 Sacramento, CA 94203-4170	<div style="text-align: center; font-weight: bold; margin-bottom: 10px;">DOJ USE ONLY</div> Confirmation of Custodian of Records Date confirmed: _____ Completed by: _____ <div style="text-align: right; font-size: small;">(initials)</div>
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## CUSTODIAN OF RECORDS APPLICATION FOR CONFIRMATION (Penal Code section 11102.2)

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### Privacy Notice

As Required by Civil Code § 1798.17

**Collection and Use of Personal Information.** The California Justice Information Services (CJIS) Division in the Department of Justice collects the information requested on this form as authorized by Penal Code section 11102.2(d). The CJIS Division uses this information for the purpose of processing fingerprint-based criminal offender record information background responses on individuals designated by applicant agencies to serve as Custodian of Records. In addition, any personal information collected by state agencies is subject to the limitations in the Information Practices Act and state policy. The Department of Justice's general privacy policy is available at: <http://oag.ca.gov/privacy-policy>.

**Providing Personal Information.** All the personal information requested in the form must be provided.

**Access to Your Information.** You may review the records maintained by the CJIS Division in the Department of Justice that contain your personal information, as permitted by the Information Practices Act. See below for contact information.

**Possible Disclosure of Personal Information.** In order to process fingerprint-based criminal offender record information background responses on individuals designated by applicant agencies to serve as Custodian of Records, we may need to share the information you give us with other law enforcement or regulatory agencies.

The information you provide may also be disclosed in the following circumstances:

- With other persons or agencies where necessary to perform their legal duties, and their use of your information is compatible and complies with state law, such as for investigations or for licensing, certification, or regulatory purposes;
- To another government agency as required by state or federal law.

**Contact Information.** For questions about this notice or access to your records, you may contact the Custodian of Records Program Analyst by phone at (916) 210-5468, by e-mail at [COR@doj.ca.gov](mailto:COR@doj.ca.gov), or via mail at:

California Department of Justice  
Bureau of Criminal Information and Analysis  
Custodian of Records Unit  
P.O. Box 903417  
Sacramento, CA 94203-4170



## REQUEST FOR LIVE SCAN SERVICE (Custodian of Records)

### Applicant Submission

CA0349400

CUSTDN RECORDS 11102.2 PC

ORI (Code assigned by DOJ)

Authorized Applicant Type

CUSTODIAN OF RECORDS

Type of License/Certification/Permit OR Working Title (Maximum 30 characters - if assigned by DOJ, use exact title assigned)

### Contributing Agency Information:

DEPARTMENT OF JUSTICE

15798

Agency Authorized to Receive Criminal Record Information

Mail Code (five-digit code assigned by DOJ)

P.O. Box 903417

Street Address or P.O. Box

Contact Name (mandatory for all school submissions)

SACRAMENTO

CA 94203-4170

City

State ZIP Code

Contact Telephone Number

### Applicant Information:

Last Name

First Name Middle Initial Suffix

Other Name  
(AKA or Alias) Last

First Suffix

Date of Birth

Sex  Male  Female

Driver's License Number

Height Weight Eye Color Hair Color

Billing Number  
(Agency Billing Number)

Place of Birth (State or Country) Social Security Number

Misc. Number  
(Other Identification Number)

Home Address Street Address or P.O. Box

City State ZIP Code

Your Number: \_\_\_\_\_  
OCA Number (Agency Identifying Number)

Level of Service:  DOJ  FBI

If re-submission, list original ATI number:  
(Must provide proof of rejection)

Original ATI Number

### Employer (Additional response for agencies specified by statute):

Employer Name

Mail Code (five digit code assigned by DOJ)

Street Address or P.O. Box

City State ZIP Code

Telephone Number (optional)

### Live Scan Transaction Completed By:

Name of Operator

Date

Transmitting Agency LSID

ATI Number

Amount Collected/Billed

**CALIFORNIA DEPARTMENT OF JUSTICE  
CALIFORNIA JUSTICE INFORMATION SERVICES DIVISION  
EMPLOYEE STATEMENT**

**Use of Applicant Criminal Offender Record Information**

**All personnel with access must sign this form which is kept by the Custodian of Records**

As an employee/volunteer of:

Contributing Agency/Organization Name: \_\_\_\_\_

You may have access to confidential criminal record information which is controlled by state and federal statutes. Misuse of such information may adversely affect the individual's civil rights and violate constitutional rights of privacy. Penal Code section 502, prescribes the penalties relating to computer crimes. Penal Code sections 11105 and 13300, identify who has access to criminal history information and under what circumstances it may be disseminated. Penal Code sections 11140-11144 and 13301-13305, prescribe penalties for misuse of criminal history information. Government Code section 6200, prescribe felony penalties for misuse of public records. Penal Code sections 11142 and 13300 state:

"Any person authorized by law to receive a record or information obtained from a record who knowingly furnishes the record or information to a person not authorized by law to receive a record or information is guilty of a misdemeanor."

Civil Code section 1798.53, Invasion of Privacy, states:

"Any person who intentionally discloses information, not otherwise public, which they know or should reasonably know was obtained from personal or confidential information maintained by a state agency or from records within a system of records maintained by a federal government agency, shall be subject to a civil action, for invasion of privacy, by the individual."

**CIVIL, CRIMINAL, AND ADMINISTRATIVE PENALTIES:**

- \* Penal Code section 11141: DOJ furnishing to unauthorized person (misdemeanor)
- \* Penal Code section 11142: Authorized person furnishing to other (misdemeanor)
- \* Penal Code section 11143: Unauthorized person in possession (misdemeanor)
- \* California Constitution, Article I, section (Right to Privacy)
- \* 1798.53 Civil Code, Invasion of Privacy
- \* Title 18, USC, sections 641, 1030, 1951, and 1952

Any employee who is responsible for such misuse may be subject to immediate dismissal. Violations of this law may result in criminal and/or civil action.

**I HAVE READ THE ABOVE AND UNDERSTAND THE POLICY REGARDING MISUES OF CRIMINAL RECORD INFORMATION.**

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

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

Print Name: \_\_\_\_\_

Title: \_\_\_\_\_

Contributing Agency/Organization Name: \_\_\_\_\_

PLEASE NOTE: Do not return this form to the DOJ. Your COR should maintain these forms.



## CONTRACT FOR SUBSEQUENT ARREST NOTIFICATION SERVICE

Department of Justice  
Bureau of Criminal Information and Analysis  
P.O. Box 903417  
Sacramento, CA 94203-4170

The agency listed below is authorized to receive state summary criminal history information from the files of the Department of Justice (DOJ) for employment, licensing, or certification purposes. This agency further requests that fingerprint transactions submitted for this purpose be retained in DOJ's files for **California only** subsequent arrest notification service pursuant to section 11105.2 of the California Penal Code. **Fingerprint submissions received before the effective date of this contract will not be retained by the DOJ.**

AGENCY NAME: \_\_\_\_\_

AGENCY ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP CODE: \_\_\_\_\_

ORI NUMBER: (If Applicable) \_\_\_\_\_

CONTACT PERSON(S): \_\_\_\_\_

CONTACT PERSON(S) TELEPHONE: \_\_\_\_\_

**Please retain the following authorized categories:**

ALL EMPLOYEES                       ALL VOLUNTEERS

ALL LICENSES, CERTIFICATIONS, OR PERMITS

OTHER: (specify) \_\_\_\_\_

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

This agency certifies that, to its knowledge, there is no statute or regulation prohibiting this notification and that all requirements for criminal record security and privacy of individuals will be met. This agency will notify the Bureau of Criminal Information and Analysis when it no longer has a legitimate interest in a subject, as required by section 11105.2 of the California Penal Code. The agency agrees to immediately return any subsequent arrest notification received from DOJ for any person unknown to the agency.

\_\_\_\_\_  
Signature of Agency Representative                      Date

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Title of Agency Representative

FOR DOJ USE ONLY:	
<input type="checkbox"/> Approved	<input type="checkbox"/> Not Authorized
_____ Signature of DOJ Representative	
_____ Effective Date	

## **NO LONGER INTERESTED NOTIFICATION**

California Penal Code section 11105.2 (d) states, in part, that any agency which submits the fingerprints of applicants for employment or approval to the Department of Justice (DOJ) for the purpose of establishing a record of the applicant to receive notification of subsequent arrests, shall immediately notify the Department when employment is terminated or the applicant is not hired.

It is the responsibility of the hiring/approving authority to notify the DOJ, Bureau of Criminal Information and Analysis when employment has been terminated or when an applicant or volunteer is not actually retained in the position for which they applied.