



CITY COUNCIL STAFF REPORT

DATE: October 7, 2009

Consent Agenda

SUBJECT: POOL PUMP PERMIT FEE WAIVER PROGRAM

FROM: David H. Ready, City Manager

BY: Michele Mician, Manager, Office of Sustainability

SUMMARY:

Coachella Valley Association of Governments Desert Cities Energy Partnership with Southern California Edison allows Palm Springs to participate in an energy efficient pool pump program for SCE customers. The program would provide a \$535 rebate to Palm Springs homeowners if they install an energy efficient pool pump.

Residents must agree to replace an existing pool pump and motor with a qualified energy-efficient Variable Flow pool pump or Variable-speed pool pump on a single family residence or public pool. The funds are limited to 40 participants in Palm Springs. Residents will be eligible for up to a \$535 rebate through SCE. The City's primary contact at SCE for this program will be Tony Coonce. The rebate will be provided directly from SCE.

The financial commitment from the City of Palm Springs would be in the form of a permit waiver that will be effective through the rebate program period of October 8, 2009 until December 31, 2009. The HEER program is offered on a first-come first-served basis and is effective until funding is expended or the program is discontinued by the California Public Utilities Commission. The program is funded by California utility customers and administered by Southern California Edison under auspices of the California Public Utilities Commission.

RECOMMENDATION:

1. Waive \$68 permit fees for pool pump replacement for up to 40 residential applicants who apply through the SCE pool pump replacement rebate program.

STAFF ANALYSIS:

The program proposed for City of Palm Springs may have little fiscal impact as the compliance with proper permit application procedures is historically inconsistent. The program may bring awareness to the public regarding the need to comply with proper permitting procedures. Staff recommends participation in the program due to the program length, consistency with goals set in the Sustainability Plan and the positive benefit for Palm Springs residents.

ITEM NO. 2.Q.

FISCAL IMPACT:

The waiver of fees would result in a net \$2720.00 fiscal impact to permitting.



Michele C. Mician, MS
Manager, Office of Sustainability



Thomas Wilson
Assistant City Manager



for David H. Ready, City Manager

Attachments: SCE Desert Cities Partnership Program Rebate Application
Resolution # _____, Temporarily Waiving Permit Fees for Residential Pool
Pump Replacement Program

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PALM SPRINGS, CALIFORNIA, TEMPORARILY WAIVING CERTAIN BUILDING FEES FOR THE HIGH EFFICIENCY POOL PUMP REPLACEMENT PROGRAM ADMINISTERED BY THE COACHELLA VALLEY ASSOCIATION OF GOVERNMENTS.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS FINDS AS FOLLOWS:

A. On June 11, 2008 the City Council adopted Resolution No. 22239 approving user fees and charges and modifying the Comprehensive Fee Schedule adopted by Resolution No. 21578.

B. The Coachella Valley Association of Governments (CVAG) is initiating and administering a High Efficiency Pool Pump Replacement Program, providing grants to Palm Springs residents to replace existing inefficient swimming pool pumps.

C. CVAG has requested member Cities to waive building permit fees to participants in the High Efficiency Pool Pump Replacement Program.

D. The City Council has established and endorsed sustainability goals and the *Palm Springs Path to a Sustainable Community*, and continues to further establish sustainability goals, and encourage private conservation projects.

E. It is in the public interest and to the public benefit for the City Council to encourage pool pump upgrades that cause the substantial reduction in energy use, by the waiver of building permit fees.

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS DOES HEREBY RESOLVE AND APPROVE AS FOLLOWS:

SECTION 1. Notwithstanding any other requirements in City Council Resolution No. 22239, adopting a Comprehensive Fees Schedule, as amended, the City Manager shall have the authority to waive Building Fees for Pool Pump Replacement for participants in the CVAG High Efficiency Pool Pump Replacement Program.

SECTION 2. The City Manager or his designee is authorized to waive fees in Section 1 of this Resolution upon the submittal of a CVAG approved application for participation in the CVAG High Efficiency Pool Pump Replacement Program.

SECTION 3. This Resolution shall automatically expire and be of no force and effect on the earlier of: the funding of the CVAG High Efficiency Pool Pump Replacement Program has elapsed, or December 31, 2009, unless the City Council shall have first acted to extend or otherwise alter the provisions of the Resolution prior to that time.

SECTION 4. Nothing contained in this Resolution shall be deemed to authorize or permit the waiver of payment of any other fee or charge within the City except for the Building Permit Fee expressly enumerated in Section 1 of this Resolution.

SECTION 5. Nothing contained in the Resolution shall be deemed to create any new fee or charge, or increase any existing fee or charge, to which the procedures specified in Section 66017 of the Government Code of the State of California would be applicable.

ADOPTED THIS 7TH DAY OF OCTOBER, 2009.

David H. Ready, City Manager

ATTEST:

James Thompson, City Clerk

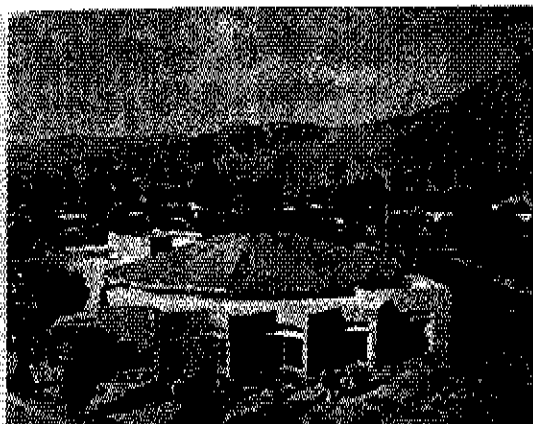
CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF PALM SPRINGS)

I, JAMES THOMPSON, City Clerk of the City of Palm Springs, hereby certify that Resolution No. _____ is a full, true and correct copy, and was duly adopted at a regular meeting of the City Council of the City of Palm Springs on the 7th day of October, 2009, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

James Thompson, City Clerk
City of Palm Springs, California



**Desert Cities
Partnership Program
2009 Pool Pump Rebate
Application**

**Get a
\$535 cash rebate
when you purchase and install a
qualifying energy-efficient
variable speed pool pump
for your house, condominium
or mobile home**

Eligible Cities

Customers must be a resident of Blythe, Cathedral City, Desert Hot Springs, Indian Wells, Palm Springs or Rancho Mirage with all procedures performed in those cities to qualify under this program.

This program is funded by California utility customers and administered by the utilities under the auspices of the California Public Utilities Commission



Desert Cities Partnership Program 2009 Pool Pump Rebate Application

HOW TO APPLY

- 1. Review the list of qualifying pool pumps (listed on application form - page 4).**
Only qualifying pumps from this list are eligible for rebate.
- 2. Reserve rebate funds in your name.**
Funds must be reserved prior to purchasing / installing pump.
Funding is limited. Rebate reservations will be accepted on a first-come, first-served basis.
Please call **1-626-633-3051** to reserve funds.
- 3. Purchase and install qualifying product(s) between September 23, 2009 and December 31, 2009.**
Please be aware, these purchase/install dates will end earlier if funds are depleted. Qualifying products must be installed prior to submitting for a rebate (but after reserving funds).
- 4. Fill out and sign the application, including the Terms and Conditions (page 3).**
For contractors who have installed the equipment at a reduced price and are applying for the rebate, both the customer and the contractor must read and sign the Release Authorization and Waiver (page 5).
- 5. Mail the completed forms along with a copy of the receipt or proof of purchase to:**
SCE Rebate Processing Center
P.O. Box 800
Rosemead, CA 91770

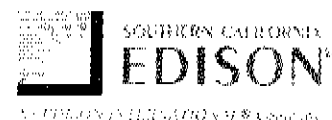
Completed forms with required documentation must be postmarked by December 31, 2009.
Incomplete applications cannot be processed.

Keep a copy of your completed forms with required documentation (including receipts or home improvement contract) for your records.

A rebate check will generally be mailed within 5 weeks unless (a) your application is incomplete, (b) your application is selected for verification, which may result in additional processing time, or (c) funds are depleted. Applications are processed on a first-come, first-served basis.

SCE reserves the right to verify energy efficient product(s), customer eligibility, and equipment installation prior to payment of rebate.

This program is funded by California utility customers and administered by the utilities under the auspices of the California Public Utilities Commission.



TERMS AND CONDITIONS – READ, SIGN AND DATE BELOW

By submitting the Desert Cities Partnership Program Application, I understand and agree to the following:

1. To be eligible for the rebate: (a) I must be an SCE residential customer with an address in one of the Desert Cities (defined as Blythe, Cathedral City, Desert Hot Springs, Indian Wells, Palm Springs or Rancho Mirage) and I must be on a residential rate plan with an active meter, and (b) the product(s) I have installed must (i) qualify for the rebate, (ii) be installed in a residential dwelling, fully occupied, within SCE's service area and within one of the Desert Cities, and (iii) be designed to reduce my consumption of energy distributed to me by SCE at the installation address. I understand I must complete and submit an Application for each installation at each address where a qualifying product has been installed. All uses herein of the words "install", "installation", or similar phrases shall mean complete installation such that the subject products are fully functional.
2. The Desert Cities Partnership Program term is September 23, 2009 through December 31, 2009, yet may end or be modified sooner if allocated funds are depleted or changes are required to achieve program objectives. Any product(s) ordered or purchased prior to September 23, 2009 or after December 31, 2009 do not qualify for a rebate. Resale products, products leased, rebuilt, rented, received from warranty insurance claims, exchanged, won as a prize, or new parts installed in existing products do not qualify.
3. A signed and dated Application, and all other required documentation including all appropriate Proof(s) of Purchase, must be sent to SCE's Rebate Processing Center and postmarked by January 10, 2010 to be considered eligible for a rebate. After SCE receives a submitted Application, and determines that it is complete and accurate and approves it for payment, a rebate check is generally mailed within five weeks provided however, that SCE reserves the right to select any Application for verification, or reject any incomplete Applications. If an Application is selected for verification, additional time may be required before a rebate check is mailed.
4. Funds are limited. Applications are accepted on a first-come, first-served basis. This program may be modified or terminated without prior notice. In the event that rebate amounts change, the order/purchase date will be used to determine product eligibility and the application postmark date will be used to determine rebate amount, if any.
5. I will allow, if requested, SCE's and/or the California Public Utilities Commission's (CPUC) representative(s) reasonable access to my home to verify installation of the qualifying product I have purchased, either prior to payment of a rebate and/or following payment of a rebate. I understand that a rebate will not be paid if I refuse to participate in any required verification. I understand that if I refuse to participate in or fail any required verification after receiving a rebate, I may be required to repay to SCE the amount of any rebate received. The verification of installation must be scheduled within 30 days of customer contact by SCE. I understand that SCE may contact the qualifying product vendor and/or installer to verify purchase and/or installation and may provide my name and/or address to complete this verification.
6. The rebate amount may not exceed the purchase price. I understand that I cannot receive a rebate for the same product from more than one California investor-owned utility or third party energy efficiency program offering rebates, financing or other incentives funded with CPUC Public Goods Charge funds.
7. I agree that the selection of qualifying product(s), selection of manufacturer, dealer, supplier and/or installer, and purchase, installation and ownership/ maintenance of the qualifying product(s) referenced in this Application are my sole responsibility, and the manufacturer, dealer, supplier or installer of these products is not an agent or representative of SCE. Any agreement between a customer and a vendor/contractor is exclusive of SCE and SCE is not a party or guarantor of that agreement.
8. I understand that SCE makes no representations regarding manufacturers, dealers, contractors, materials or workmanship. I ALSO UNDERSTAND THAT SCE MAKES NO WARRANTY WHETHER EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSE, USE, OR APPLICATION OF THE PRODUCTS.
9. I agree that SCE has no liability whatsoever concerning (1) the quality, safety and/or installation of the products, including their fitness for any purpose, (2) the estimated energy savings of the products, (3) the workmanship of any third parties, (4) the installation or use of the products including, but not limited to, effects on indoor pollutants, (5) the assignment of any rebate amount by Customer to Contractor, or (5) any other matter with respect to the Desert Cities Partnership Program. I waive any and all claims against SCE, its parent companies, directors, officers, employees, or agents, arising out of activities conducted by or on behalf of SCE in connection with my Application for any rebate(s) under the Desert Cities Partnership Program. Without limiting the generality of the foregoing, none of such parties shall be liable hereunder for any type of damages, whether direct, or indirect, incidental, consequential exemplary, reliance, punitive or special damages, including damages for loss of use, regardless of the form of action, whether in contract, indemnity, warranty, strict liability or tort, including negligence of any kind.
10. I am responsible for meeting all Desert Cities Partnership Program requirements and complying with my state/county/city governments, property owner and/or homeowners association requirements (if any) in my area regarding local conditions, restrictions, codes, ordinances, rules, and regulations concerning this installation.
11. If a tenant, I am responsible for obtaining the property owner's permission to install the product(s) for which I am applying for a rebate. My signature on this Application indicates I have obtained this permission.
12. SCE is not responsible for items lost or destroyed in the mail/transit.

I HAVE READ AND UNDERSTAND THE ABOVE TERMS AND CONDITIONS. I CERTIFY THAT THE INFORMATION I HAVE PROVIDED IS TRUE AND CORRECT AND THE PRODUCT(S) AND/OR EQUIPMENT(S) FOR WHICH I AM REQUESTING A REBATE MEETS THE REQUIREMENTS IN THIS APPLICATION PACKAGE.

Customer Signature

Name (Please Print)

Date



Application Form

Please read and sign the **Terms And Conditions** (page 3) and fill in the information below. Mail forms, along with a copy of the receipt or proof of purchase to:

SCE Rebate Processing Center
P.O. Box 800,
Rosemead, CA 91770

Qualifying models (Please check appropriate box):

Only models listed here qualify for this rebate. Pumps used exclusively for spas, boosters, or fountains do not qualify.

Manufacturer	Model
<input type="checkbox"/> IKERIC	VS75, VS100, VS150, VS200, VS300
<input type="checkbox"/> Pentair	Intelliflo VS 3050 with Intellicom Controller (Model # 011013)
<input type="checkbox"/> Pentair	Intelliflo VF (Model # 011012)
<input type="checkbox"/> Hayward	Tri-Star Variable Speed pump and TriStar Variable Speed Pump Control
<input type="checkbox"/> Sta Rite	IntelliPro with Intellicom Controller
<input type="checkbox"/> Jandy	ePump with ePump controller

Product Purchase Date _____

Product Install Date _____

- Self-installed Contractor Installed

Party Applying for Rebate (please check one):

- Customer
- Contractor (**Payment Release Authorization and Customer Assignment & Waiver**, - page 5, must be signed)

Customer Information

Customer Name (full name) _____

SCE Service Account Number _____

3- | | | | | | | | | |

Telephone _____

Alternate Number _____

E-mail Address (optional) _____

Address _____

City _____ St _____ Zip _____

CA



Release Authorization and Waiver

For Submission of Application for Rebate by Contractor:

If Contractor is submitting for rebate, information below must be filled out and signed by contractor and customer.

Payment Release Authorization

I HAVE READ, UNDERSTAND AND AGREE TO THE TERMS AND CONDITIONS INCLUDED IN THIS APPLICATION. I CERTIFY THAT I HAVE OBTAINED THE INFORMATION PROVIDED IN THIS APPLICATION FROM THE OWNER OR TENANT OF THE PREMISES AT WHICH THE INSTALLATION OF THE QUALIFYING PRODUCT AND/OR EQUIPMENT HAS BEEN PERFORMED, AND THAT THE PRODUCT AND/OR EQUIPMENT FOR WHICH I AM REQUESTING A REBATE MEETS THE REQUIREMENTS IN THIS APPLICATION PACKAGE.

Contractor Signature

Name (Please Print)

Date

Make rebate check payable to:

Tax Status:

Corporation

Partnership

Exempt (i.e. Tax Exempt, Non-Profit)

Individual/Sole Proprietor

Company

Contractors License No. (if applicable)

Payee Name

Payee Federal Tax ID OR SSN

Contractor Address (for payment of rebate):

Contractor Telephone No.

Customer Assignment & Waiver of Rebate in Favor of Contractor

I HAVE OPTED TO HAVE MY CONTRACTOR, DESIGNATED ABOVE, COMPLETE AND SUBMIT THIS APPLICATION FOR REBATE TO SCE. I UNDERSTAND THAT MY CONTRACTOR HAS REDUCED THE COST TO ME OF PURCHASING/INSTALLING THE QUALIFYING PRODUCT(S) AND/OR EQUIPMENT BY AN AMOUNT EQUAL TO THE TOTAL QUALIFYING REBATE, AND THIS REDUCTION IS CLEARLY STATED ON THE RECEIPT; AND, IN CONSIDERATION FOR SUCH COST REDUCTION, I HEREBY ASSIGN AND TRANSFER ALL OF MY RIGHTS AND INTEREST IN THE TOTAL REBATE APPLIED FOR IN THIS APPLICATION TO CONTRACTOR. I FURTHER DIRECT SCE TO REMIT THE CORRESPONDING REBATE CHECK DIRECTLY TO CONTRACTOR AND I WAIVE ALL RIGHTS TO RECEIVE SUCH REBATE FROM SCE.

Customer Signature

Name (Please Print)

Date