# **AGENDA**

# LAKE OROVILLE AREA PUBLIC UTILITY DISTRICT BOARD OF DIRECTORS

Special Meeting Scheduled 3:00 p.m. October 29, 2020 1960 Elgin Street, Oroville, CA 95966

Materials related to an item on the open meeting agenda that are provided to the Board of Directors, including those provided to the Board after distribution of the agenda packet, are available on the District website.

During this difficult time, due to the shelter in place orders, we invite you to join today's scheduled meeting via Zoom by using your phone to attend the meeting.

Please call the District office at **(530) 533-2000** for assistance in participating in the teleconference.

Dial in: 1-669-900-9128 Meeting ID: 815 6468 7307 Passcode: 565830

To ensure that our meetings are as orderly as possible, and to enable public participation at the proper times during the meeting, we are asking that everyone take a moment to ensure your line stays muted until public comment is invited. When it comes time for public comment, we will leave enough time for participants to unmute and speak to the entire group and our board. Because attendees cannot see each other's mute status, we will simply need to be patient as we wait in between comments, and do our best not to speak over each other. Please state your name for the record before sharing comments. We're committed to keeping the public engaged throughout this crisis and appreciate your help in making that happen.

# **ACTION ITEMS**

1. SALUTE TO THE FLAG OF THE UNITED STATES OF AMERICA

The meeting will open with a salute to the flag of the United States of America.

2. MOMENT OF SILENCE

The Board of Directors will observe a moment of silence.

3. ROLL CALL AND ACKNOWLEDGMENT OF VISITORS

Individuals will be provided the opportunity to address the Board regarding matters <u>not</u> scheduled on the agenda. No action will be taken by the Board on these matters; however, the Board may ask questions for clarification and refer to staff or other resources for information and request staff report at a subsequent meeting. Comments on items scheduled on the agenda may be made as they are considered by the Board.

4. COMMUNITY POWER RESILIENCY ALLOCATION TO SPECIAL DISTRICTS PROGRAM RFP GRANT OPPORTUNITY

Board to consider authorizing General Manager McCutcheon to enter into and execute any agreements on behalf of the District in regards to the Community Power Resiliency Allocation to Special Districts Program RFP and any amendments and extensions thereof.

# REPORTS AND CONSULTATIONS

- 5. BOARD MEMBERS', STAFF & MANAGER COMMENTS
- 6. BOARD MEETING ADJOURNMENT

October 29, 2020 Page **2** of **2** 



**To:** Board of Directors

From: Scott McCutcheon, General Manager

**Date:** October 29, 2020-SPECIAL MEETING

**RE:** Item No. 1 – Salute To The Flag Of The United States



**To:** Board of Directors

From: Scott McCutcheon, General Manager

**Date:** October 29, 2020-SPECIAL MEETING

**RE:** Item No. 2 – Moment Of Silence



**To:** Board of Directors

From: Scott McCutcheon, General Manager

**Date:** October 29, 2020-SPECIAL MEETING

**RE:** Item No. 3 – Roll Call And Acknowledgment Of Visitors



**To:** Board of Directors

From: Scott McCutcheon, General Manager

**Date:** October 29, 2020-SPECIAL MEETING

**RE:** Item No. 4 – Community Power Resiliency Allocation to Special Districts

Program RFP

On October 9, 2020, Cal OES released a grant funding opportunity titled 'Community Power Resiliency Allocation to Special Districts Program RFP'. The grant requires the Board to grant authority to the General Manager to enter into the funding agreement and certify that the District will be in compliance of the funding program's requirements. The grant is an excellent opportunity for the District to increase its resiliency in the face of any future power outages.

# Attachment Included

Recommended Action: Authorize the General Manager to enter into and execute any agreements on behalf of the District in regards to the Community Power Resiliency Allocation to Special Districts Program RFP and any amendments and extensions thereof.



# **REQUEST FOR PROPOSAL**

The California Governor's Office of Emergency Services (Cal OES), Grants Management Section, is soliciting proposals for the following program:

## COMMUNITY POWER RESILIENCY ALLOCATION TO SPECIAL DISTRICTS PROGRAM

Release Date: October 9, 2020

This Request for Proposal (RFP) provides detailed information and forms necessary to prepare a proposal for the Cal OES grant funds.

#### **PROGRAM SYNOPSIS**

# **Program Description**

The purpose of the Community Power Resiliency Allocation to Special Districts Program is to support California special districts with additional preparedness measures in response to power outage events.

# Eligibility:

California special districts that have an identified critical facility or facilities, or provide critical infrastructure, pursuant to the de-energization guidelines adopted by the California Public Utilities Commission are the only eligible Applicants.

#### **Performance Period:**

July 1, 2020 - October 31, 2021

## **Available Funding:**

Individual Applicants may request up to \$300,000.

#### **Submission Deadline:**

Friday, October 30, 2020



# **TABLE OF CONTENTS**

PART	I – OVERVIEW	1
Α.	PUBLIC RECORDS ACT NOTICE	
В.	CONTACT INFORMATION	
C.	SUBMISSION DEADLINE AND OPTIONS	
D.	ELIGIBILITY/PREFERENCE POINTS	
E.	GRANT SUBAWARD PERFORMANCE PERIOD	
F.	FUNDS	
G.	PROGRAM INFORMATION	3
PART	II – RFP INSTRUCTIONS	6
Α.	FORMS	
В.	PROPOSAL COMPONENTS	
	1. Grant Subaward Face Sheet (Cal OES 2-101)	
	2. Project Contact Information (Cal OES 2-102)	6
	3. Signature Authorization (Cal OES 2-103)	
	4. Certification of Assurance of Compliance (Cal OES 2-104)	
	5. Budget Narrative (Cal OES 2-107) – Maximum 1 page	
	6. Project Narrative (Cal OES 2-108)	7
PART	III – SELECTION AND FINALIZING THE GRANT SUBAWARD	9
	SELECTION OF PROPOSAL FOR FUNDING	
	1. Proposal Rating	9
	2. Funding Decision	
	3. Notification Process	
В.	FINALIZING THE GRANT SUBAWARD1	
	1. Grant Subaward Application1	
	2. Grant Subaward1	
	3. Standard Project Funding Authority1	0
PART	IV – RATING SHEET	1
PART	· V = CHECKLIST	13

#### PART I – OVERVIEW

- A. PUBLIC RECORDS ACT NOTICE
- B. CONTACT INFORMATION
- C. SUBMISSION DEADLINES AND OPTIONS
- D. ELIGIBILITY/PREFERENCE POINTS
- E. GRANT SUBAWARD PERFORMANCE PERIOD
- F. FUNDS
- G. PROGRAM INFORMATION

#### A. PUBLIC RECORDS ACT NOTICE

Grant proposals are subject to the California Public Records Act, Government Code Section 6250, et seq. Do not put any personally identifiable information or private information on this proposal. If you believe that any of the information you are putting on this proposal is exempt from the Public Records Act, please indicate what portions of the proposal and the basis for the exemption. Your statement that the information is not subject to the Public Records Act will not guarantee that the information will not be disclosed.

# B. CONTACT INFORMATION

Questions concerning this RFP, the proposal process, or programmatic issues must be submitted in writing by email to <a href="mailto:PSPS@caloes.ca.gov.">PSPS@caloes.ca.gov.</a>

Cal OES staff cannot assist the Applicant with the actual preparation of their proposal. Cal OES can only respond to technical questions about the RFP during the period of time between the publication date and due date.

# C. SUBMISSION DEADLINE AND OPTIONS

One proposal must be emailed to <u>PSPS@caloes.ca.gov</u> by 5:00 PM on Friday, October 30, 2020.

#### D. ELIGIBILITY/PREFERENCE POINTS

To be eligible to receive funds, the entity must be a California special district that has an identified critical facility or facilities, or provides critical

infrastructure, pursuant to the de-energization guidelines adopted by the California Public Utilities Commission.

Priority funding will be given to eligible Applicants if the proposal shows either a benefit to disadvantaged communities or the use of/acquisition of low/no emissions power solutions. "Disadvantaged communities" includes, but is not limited to:

- Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation.
- Areas with concentrations of people that are of low-income, high unemployment, low levels of home ownership, high rent burden, sensitive populations, or low levels of educational attainment.

Only one proposal per Applicant will be eligible to receive funding. If an Applicant submits more than one proposal, only the highest scoring proposal, meeting the criteria above, will be considered for funding.

## E. GRANT SUBAWARD PERFORMANCE PERIOD

The Grant Subaward performance period is July 1, 2020 – October 31, 2021.

#### F. FUNDS

# 1. Source/Amount of Funds

There is \$20,000,000 of State General Fund available for the Program for the Grant Subaward performance period. Individual Applicants may apply for up to \$300,000 for the 16-month Grant Subaward performance period.

#### 2. Allowable Use of Funds

Funds may be used to procure fixed, long term emergency electrical generation equipment, develop continuity plans, conduct risk assessments for critical infrastructure, create post event reports and public education materials, or purchase supplies to prepare for electric disruption.

#### 3. Unallowable Use of Funds

Funds may not be used:

- To secure, compensate, or backfill professional services contracts, or
- For response costs associated with electric disruption events, including any staffing or new positions, Emergency Operations Center staffing, security, law or fire response, or other overtime charges.

# G. PROGRAM INFORMATION

# 1. Program Description

The purpose of the Community Power Resiliency Allocation to Special Districts Program is to support California special districts in preparing for and responding to power outage events.

California special districts are encouraged to collaborate with their county to support critical infrastructure and resiliency with a particular focus on public safety, vulnerable communities, and individuals with access and functional needs.

# 2. Eligible Activities

# a. Equipment

Funds may be used for the procurement of:

- Generators and generator connections for essential facilities, with an emphasis on clean energy and green solutions, where possible, or other alternative backup sources.
- Generator fuel and fuel storage.
- Redundant emergency communications (e.g., battery-powered radios).
- Portable vehicle-mounted charging stations.
- Portable battery-powered and rechargeable radio repeater and transmission equipment.

#### b. Plans

Funds may be used for the development/update of:

- Continuity plans.
- Contingency plans for electrical disruptions that include considerations such as protecting individuals with access and functional needs, medical baseline and socially vulnerable populations, transportation, emergency public information, and preservation of essential functions.
- Risk assessments for critical infrastructure and lifelines.
- Post-event reports that identify lessons learned and corrective actions.

# c. Public Education

Funds may be used to:

- Develop public education materials.
- Purchase supplies focused on individual and family preparedness for electric disruptions.

# d. One-Time Costs

Funds may be used for one-time costs associated with identifying and equipping resource centers for the public to access during electric disruptions.

# 3. Reporting Requirements

Progress Reports serve as a record for the implementation of the project. Statistics for Progress Reports must be collected on a quarterly basis, even when reporting occurs less frequently.

California special districts are required to report the following for each project or activity supported with grant funds:

- Description of each project or activity;
- The state or local entity that implemented the project or activity;
- Amount of state funding provided to the project or activity; and
- Specific outcomes achieved by each project or activity, including whether the project or activity was completed, and whether it was used during power outage events.

One Progress Report is due no later than November 30, 2021. A Progress Report form will be provided by Cal OES.

# 4. Disbursement of Funds

Requested funds, if awarded, will be advanced once all required documentation has been completed and received by Cal OES.

#### PART II - RFP INSTRUCTIONS

- A. FORMS
- B. PROPOSAL COMPONENTS

#### A. FORMS

The Applicant must use the forms provided on our website. The forms must be printed on plain white 8½" x 11" paper and single sided. **Applicants may not alter the formatting of any forms, including the Project and Budget Narratives.** No tables, charts, or changes to the margins are allowed.

## B. PROPOSAL COMPONENTS

Applicants must complete and submit all required components. Specific information for each component is included next. The Checklist in Part V is included to ensure Applicants submit all <u>required components</u>.

1. Grant Subaward Face Sheet (Cal OES 2-101)

The Grant Subaward Face Sheet is the title page of the Grant Subaward that is signed by the Subrecipient and the Cal OES Director (or designee). Instructions are included on the form.

2. Project Contact Information (Cal OES 2-102)

The Project Contact Information form provides Cal OES will all relevant Subrecipient personnel. Information for each individual should be direct contact information. Instructions are included on the form.

3. Signature Authorization (Cal OES 2-103)

The Signature Authorization form provides Cal OES with signatures of authorized signers and who they authorize to sign on their behalf for all grant-related matters. Instructions are included on the form.

4. Certification of Assurance of Compliance (Cal OES 2-104)

Cal OES is required by law to obtain written certifications of compliance. The Certification of Assurance of Compliance form is a

binding affirmation that the Subrecipient will comply with the following regulations and restrictions:

- State and federal civil rights laws
- Drug Free Workplace
- California Environmental Quality Act
- Lobbying restrictions
- Debarment and Suspension requirements
- Proof of Authority documentation from the City Council/Governing Board
- 5. Budget Narrative (Cal OES 2-107) Maximum 1 page

The Budget Narrative should describe the project's proposed budget supports the objectives and activities.

6. Project Narrative (Cal OES 2-108)

The Project Narrative is the main body of information describing the problem to be addressed, the plan to address the identified problem through appropriate and achievable objectives and activities, and the ability of the Applicant to implement the proposed plan.

a. Program Plan – Maximum 2 Pages

In narrative form, address the following:

- 1) The number of people and type of population of the special district applying for these funds.
- 2) The amount of disaster reserve funds compared to the total special district budget.
- 3) The number of hours spent in a power outage event from July 1, 2019, to present.
- 4) How the Applicant will use the funds to prepare for and respond to power outage events. Include amount being requested not to exceed \$300,000.

# b. Emergency Plan - Maximum 1 Page

In narrative form, address the following:

- The portion of your local government emergency plan that includes power outages, whether resulting from Power Safety Power Shutdown events or for any other reason, or
- 2) An attestation that power outages, whether resulting from Power Safety Power Shutdown events or for any other reason, will be included the next time your local government revises any portion of the emergency plan.

# c. Priority Funding - Maximum 1 Page

In narrative form, address how the Program shows either a benefit to disadvantaged communities or the use of/acquisition of low/no emissions power solutions.

"Disadvantaged communities" includes, but is not limited to:

- Areas disproportionately affected by environmental pollution and other hazards that can lead to negative public health effects, exposure, or environmental degradation.
- Areas with concentrations of people that are of low-income, high unemployment, low levels of home ownership, high rent burden, sensitive populations, or low levels of educational attainment.

#### PART III - SELECTION AND FINALIZING THE GRANT SUBAWARD

- A. SELECTION OF PROPOSAL FOR FUNDING
- B. FINALIZING THE GRANT SUBAWARD

#### A. SELECTION OF PROPOSAL FOR FUNDING

# 1. Proposal Rating

Eligible proposals received by the deadline are generally evaluated by a three member team. The rater scores are averaged and then ranked numerically. Proposals are only evaluated numerically; no notes are taken during the evaluation. The Rating Sheet used for this process is included in Part IV of this RFP and is for informational purposes only.

# 2. Funding Decision

Final funding decisions are made by the Director of Cal OES. Funding decisions are based on the following:

- The ranked score of the proposal
- Consideration of priorities or geographical distribution specific to this RFP
- Prior negative administrative and programmatic performance, if applicable

Projects previously funded by Cal OES will be reviewed for poor past compliance, including fiscal management, progress and annual reports, audit reports, and other relevant documentation or information. This review may result in one or more of the following actions:

- The project may not be selected for funding
- The amount of funding may be reduced
- Grant Subaward Conditions may be placed in the Grant Subaward

## 3. Notification Process

The Authorized Signer (designated on the Grant Subaward Face Sheet) will be notified in writing, via electronic communication, of the results of

the rating process. Applicants not selected for funding will receive a denial letter containing their average score and information on the appeal process.

The Project Narrative (Cal OES 2-107), or Budget Narrative (Cal OES 2-108) for the top-ranked proposal may be posted on the Cal OES website.

#### B. FINALIZING THE GRANT SUBAWARD

# 1. Grant Subaward Application

Once selected for funding, Cal OES may require additional documentation to finalize the Grant Subaward Application package. A Program Specialist can provide technical assistance in completing these components.

# 2. Grant Subaward

#### a. Grant Subaward Amounts

Cal OES reserves the right to negotiate budgetary changes with the Applicant prior to executing the Grant Subaward. If this action is required, Cal OES will notify the Applicant prior to executing the Grant Subaward.

# 3. Standard Project Funding Authority

Cal OES employees are not able to authorize an Applicant to incur expenses or financial obligations prior to the execution of a Grant Subaward.

If, during the term of the Grant Subaward, the state funds appropriated for the purposes of the Grant Subaward are reduced or eliminated by the California Legislature, Cal OES may immediately terminate or reduce the Grant Subaward by written notice to the Subrecipient.

Cal OES Grant Subawards are subject to applicable restrictions, limitations, or conditions enacted by the California Legislature subsequent to the execution of the Grant Subaward.

#### PART IV - RATING SHEET

Control #		_	
Rater #	_		
Applicant	_		
Funds Requested:			

CATEGORY	TOTAL POINTS POSSIBLE
1. PROGRAM PLAN	80
2. EMERGENCY PLAN	40
3. PRIORITY FUNDING	12
4. BUDGET NARRATIVE	12
5. COMPREHENSIVE ASSESSMENT	12
TOT	AL 156

Each of the above categories contain questions assigned a point value. The point scale is divided into five columns labeled **I**, **II**, **III**, **IV**, and **V**. The Applicant's response to each question is evaluated on the following criteria:

- **I. ABSENT:** The response does not address the specific question or a response was not provided.
- II. UNSATISFACTORY: The response does not completely address the question. The information presented does not provide a good understanding of Applicant's intent, does not give the detailed information requested by the RFP, and/or does not adequately support the proposal or the intent of the Program.
- III. SATISFACTORY: The response addresses the question and provides a good understanding of the Applicant's intent. The response adequately supports the proposal and the intent of the Program.
- IV. ABOVE AVERAGE: The response is above average and provides a clear and detailed understanding of the Applicant's intent. The response presents a persuasive argument that supports the proposal and the intent of the Program.
- **V. EXCELLENT:** The response is outstanding, with clear, detailed and relevant information. The response presents a compelling argument that supports the proposal and the intent of the Program.

PROJECT NARRATIVE	1	II	III	IV	V
a. Program Plan (Maximum 2 pages) How well does the proposal:	0	5	10	15	20
<ol> <li>Describe the number of people and type of population of the special district applying for these funds?</li> </ol>					
2) Describe the amount of disaster reserve funds compared to the total special district budget?					
3) Describe the number of hours spent in a power outage event since July 1, 2019, to present?					
4) Describe how the Applicant will use the funds to prepare for and respond to power outage events? Did it include amount being requested not to exceed \$300,000?					
<b>b. Emergency Plan</b> (Maximum 1 page) How well does the proposal:	0	10	20	30	40
Describe the portion of the emergency plan that includes power outages, whether resulting from power outage events or for any other reason, or an attestation that power outages, whether resulting from Public Safety Power Shutdown events or for any other reason, will be included the next time their local government revises any portion of the emergency plan?					
<ul><li>c. Priority Funding (Maximum 1 page)</li><li>How well does the proposal:</li></ul>	0	3	6	9	12
Show either a benefit to disadvantaged communities or the use of/acquisition of low/no emissions power solutions?					
BUDGET NARRATIVE (Maximum 1 page)	0	3	6	9	12
How well does the proposed Budget Narrative support the objectives and activities?					
COMPREHENSIVE ASSESSMENT	0	3	6	9	12
How well does this proposal support the overall intent, goals, and purpose of the Program?					

# PART V - CHECKLIST

This c	checklist is provided to ensure that a complete application is submitted to Cal OES.
	GRANT SUBAWARD FACE SHEET (Cal OES 2-101) – Signed by the official authorized to enter into the Grant Subaward.
	PROJECT CONTACT INFORMATION (Cal OES 2-102)
	SIGNATURE AUTHORIZATION (Cal OES 2-103)
	CERTIFICATION OF ASSURANCE OF COMPLIANCE (Cal OES 2-104) – Signed by the official who signed the Grant Subaward Face Sheet and by the official delegating that authority.
	BUDGET NARRATIVE ( <u>Cal OES 2-107</u> )
	PROJECT NARRATIVE ( <u>Cal OES 2-108</u> )
	PROGRAM PLAN
	EMERGENCY PLAN
	PRIORITY FUNDING

#### CERTIFICATION OF ASSURANCE OF COMPLIANCE

The applicant must complete a Certification of Assurance of Compliance (Cal OES 2-104), which includes details regarding Federal Grant Funds, Equal Employment Opportunity Program, Drug Free Workplace Compliance, California Environmental Quality Act, Lobbying, Debarment and Suspension requirements, Proof of Authority from City Council/Governing Board, and Civil Rights Compliance. The applicant is required to submit the necessary assurances and documentation before finalization of the Grant Subaward. In signing the Grant Subaward Face Sheet, the applicant formally notifies Cal OES that the applicant will comply with all pertinent requirements.

Resolutions are no longer required as submission documents. Cal OES has incorporated the resolution into the Certification of Assurance of Compliance, Section VII, entitled, "Proof of Authority from City Council/Governing Board." The Applicant is required to obtain written authorization (original signature) from the City Council/Governing board that the official executing the agreement is, in fact, authorized to do so, and will maintain said written authorization on file and readily available upon demand. This requirement does not apply to state agencies.

# **CERTIFICATION OF ASSURANCE OF COMPLIANCE**

I, <u> </u>	hereby certify that fficial authorized to sign Subaward; same person as Section 15 on Subaward Face Sheet)
	recipient:
	ect Title:
req	esponsible for reviewing the <i>Subrecipient Handbook</i> and adhering to all of the Subaward uirements (state and/or federal) as directed by Cal OES including, but not limited to, the owing areas:
l.	Federal Grant Funds
	Subrecipients expending \$750,000 or more in federal grant funds annually are required to secure an audit pursuant to OMB Uniform Guidance 2 CFR Part 200, Subpart F and are allowed to utilize federal grant funds to budget for the audit costs. See Section 8000 of the Subrecipient Handbook for more detail.
	<ul> <li>The above named Subrecipient receives \$750,000 or more in federal grant funds annually.</li> <li>The above named Subrecipient does not receive \$750,000 or more in federal grant funds annually.</li> </ul>
II.	Equal Employment Opportunity – (Subrecipient Handbook Section 2151)
	It is the public policy of the State of California to promote equal employment opportunity (EEO) by prohibiting discrimination or harassment in employment because of race, color, religion, religious creed (including religious dress and grooming practices), national origin, ancestry, citizenship, physical or mental disability, medical condition (including cancer and genetic characteristics), genetic information, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, age, sexual orientation, veteran and/or military status, protected medical leaves (requesting or approved for leave under the Family and Medical Leave Act or the California Family Rights Act), domestic violence victim status, political affiliation, and any other status protected by state or federal law. Cal OES-funded projects certify that they will comply with all state and federal requirements regarding equal employment opportunity, nondiscrimination and civil rights.
	Please provide the following information:
	Equal Employment Opportunity Officer:

1

# III. Drug-Free Workplace Act of 1990 – (Subrecipient Handbook, Section 2152)

The State of California requires that every person or organization subawarded a grant or contract shall certify it will provide a drug-free workplace.

# IV. California Environmental Quality Act (CEQA) – (Subrecipient Handbook, Section 2153)

The California Environmental Quality Act (CEQA) (*Public Resources Code, Section 21000 et seq.*) requires all Cal OES funded projects to certify compliance with CEQA. Projects receiving funding must coordinate with their city or county planning agency to ensure that the project is compliance with CEQA requirements.

# V. Lobbying – (Subrecipient Handbook Section 2154)

Cal OES grant funds, grant property, or grant funded positions shall not be used for any lobbying activities, including, but not limited to, being paid by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal grant or cooperative agreement.

# VI. Debarment and Suspension – (Subrecipient Handbook Section 2155) (This applies to federally funded grants only.)

Cal OES-funded projects must certify that it and its principals are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of federal benefits by a state or federal court, or voluntarily excluded from covered transactions by any federal department of agency.

# VII. Proof of Authority from City Council/Governing Board – (Subrecipient Handbook Section 1350)

The above-named organization (Applicant) accepts responsibility for and will comply with the requirement to obtain a signed resolution from the city council/governing board in support of this program. The applicant agrees to provide all matching funds required for said project (including any amendment thereof) under the Program and the funding terms and conditions of Cal OES, and that any cash match will be appropriated as required. It is agreed that any liability arising out of the performance of this Subaward, including civil court actions for damages, shall be the responsibility of the grant Subrecipient and the authorizing agency. The State of California and Cal OES disclaim responsibility of any such liability. Furthermore, it is also agreed that grant funds received from Cal OES shall not be used to supplant expenditures controlled by the city council/governing board.

The applicant is required to obtain written authorization from the city council/governing board that the official executing this agreement is, in fact, authorized to do so. The applicant is also required to maintain said written authorization on file and readily available upon demand.

# VIII. Civil Rights Compliance

The Subrecipient complies will all laws that prohibit excluding, denying or discriminating against any person based on actual or perceived race, color, national origin, disability, religion, age, sex, gender identity, and sexual orientation in both the delivery of services and employment practices and does not use federal financial assistance to engage in explicitly religious activities.

All appropriate documentation must be maintained on file by the project and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Subrecipient may be ineligible for subaward of any future grants if the Cal OES determines that any of the following has occurred: (1) the Subrecipient has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

CERTIFICATION
I, the official named below, am the same individual authorized to sign the Grant Subaward [Section 15 on Grant Subaward Face Sheet], and hereby swear that I am duly authorized legally to bind the contractor or grant Subrecipient to the above described certification. I am fully aware that this certification, executed on the date and in the county below, is made under penalty of perjury under the laws of the State of California.
Authorized Official's Signature:
Authorized Official's Typed Name:
Authorized Official's Title:
Date Executed:
Federal Employer ID #:Federal DUNS #
Current System for Award Management (SAM) Expiration Date:
Executed in the City/County of:
AUTHORIZED BY: (not applicable to State agencies)  City Financial Officer County Financial Officer City Manager County Manager Governing Board Chair
Signature: Typed Name:  Title:



**To:** Board of Directors

From: Scott McCutcheon, General Manager

**Date:** October 29, 2020-SPECIAL MEETING

**RE:** Item No. 5 – Board Members', Staff, and Manager Comments