



BOARD OF DIRECTORS REGULAR MEETING AGENDA

Wednesday September 9, 2020
4 p.m. by Teleconference/Zoom

On March 17, 2020, the Governor issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow for local legislative bodies to conduct their meetings telephonically or by or by other electronic means. Pursuant to the Shelter-in-Place Order issued by the San Mateo County Health Officer on March 16, 2020, the statewide Shelter-in-Place Order issued by the Governor in Executive Order N-33-20 on March 19, 2020, and the CDC's social distancing guidelines which discourage large public gatherings, the Council Chambers at Burlingame City Hall and Hillsborough Town Hall are closed to the public.

This meeting will be conducted via Zoom, an independent virtual meeting platform. To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting by using the information below.

<https://us02web.zoom.us/j/89039637127>

Meeting ID: 890 3963 7127

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TELECONFERENCE PARTICIPANTS

Board Members Jay Benton, Michael Brownrigg, Marie Chuang and Ricardo Ortiz will participate by teleconference pursuant to Governor Newsom's Executive Order N-25-20

Pursuant to Ralph M. Brown Act, Government Code Section 54953, all votes shall be by roll call due to Board Members Jay Benton, Michael Brownrigg, Marie Chuang and Ricardo Ortiz participating by teleconference.

Any requests for reasonable accommodation should be addressed to Rubina Ellam at publiccomment@ccfd.org or 650-558-7600.

**1. CALL TO ORDER****2. PLEDGE OF ALLEGIANCE****3. ROLL CALL****4. APPROVAL OF MINUTES**

- a. Regular meeting minutes of June 10, 2020

5. REPORT OUT FROM CLOSED SESSION OF JUNE 10, 2020**6. PUBLIC COMMENTS**

The Ralph M. Brown Act (the State local agency open meeting law) prohibits the Board from acting on any matter which is not on the agenda. It is the policy of the Board to refer such matters to staff for investigation and/or action. For purposes of this teleconference meeting, members of the public may provide written comments by email to publiccomment@ccfd.org. Emailed comments should include the specific agenda item on which you are commenting on or note that your comment concerns an item that is not on the agenda. The length of the emailed comment should be commensurate with the three minutes allowed for verbal comments, which is approximately 250-300 words.

During the Meeting: Live verbal public comments may be made by members of the public joining the meeting via Zoom. Zoom access information is provided above. Use the “raise hand” feature (for those joining by phone, press *9 to “raise hand”) during the public comment period for the agenda item you wish to address. The Zoom Host will call on people to speak by name provided or last 4 digits of phone number for dial-in attendees. Please clearly state your full name for the record at the start of your public comment.

Before the Meeting: Written public comments for the record may be submitted in advance by 3:00 p.m. on the meeting date by email to: publiccomment@ccfd.org and will be made part of the written record and will be read verbally at the meeting. Written public comments submitted by email should adhere to the following:

- Clearly indicate the Agenda Item No. or specify “Public” in the Subject Line for items not on the agenda
- Include the submitter’s full name

Written public comments received by 3:00 p.m. on the meeting date will be provided in their entirety to the Board prior to the meeting and will be made part of the written record and will be read verbally at the meeting.

7. CONSENT CALENDAR

- a. Government Finance Officers Association’s Certificate of Achievement in Excellence in Financial Reporting for Fiscal Year Ended June 30, 2019
- b. Resolution to Adopt the Salary Schedule for the Central County Fire Department
- c. Resolution Approving the Revised Conflict of Interest Code for the Central County Fire Department



8. STAFF REPORTS

- a. Fire Chief's Report (*Oral Report*)
- b. CCFD Pension Pre-Funding Discussion

9. NEW BUSINESS

- a. Resolution Adopting Federal Emergency and Federal Grant Procurement Procedures
- b. Resolution Approving Designation of Applicant's Agent for Obtaining Federal and/or State assistance for Expenses incurred in response to COVID-19

10. BOARD OF DIRECTORS' COMMENTS

11. ADJOURN TO CLOSED SESSION (*via teleconference*)

12. CLOSED SESSION

- a. Conference with Legal Counsel – Anticipated Litigation – Significant exposure to litigation pursuant to Gov't Code Sec 54956.9(d)(2): One Case

13. ADJOURN CLOSED SESSION

14. REPORT FROM CLOSED SESSION

15. ADJOURNMENT



BOARD OF DIRECTORS MEETING MINUTES *(Unapproved)*
Special Meeting, Wednesday, June 10, 2020

1. CALL TO ORDER

The meeting was called to order at 4:05 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

All Board Members were present.

4. APPROVAL OF MINUTES

a. Regular meeting minutes of April 22, 2020.

Board Member Chuang motioned to approve. Board Member Ortiz seconded the motion.
Approved 4-0-0.

5. REPORT OUT FROM CLOSED SESSION OF APRIL 22, 2020

Jean Savaree, General Counsel, reported that direction was given and no action was taken.

6. PUBLIC COMMENTS – NON-AGENDA

No public comments.

7. CONSENT CALENDAR

a. Resolution to Adopt the Amended Fiscal Year 2020-2021 Budget for the Central County Fire Department

b. Resolution Authorizing Salary Increases and Benefit Changes for Management Unit Employees

c. Resolution Authorizing Salary Increases and Benefit Changes for the Clerical, Community Risk & Resiliency Specialist, and Emergency Vehicle Technician Unit Employees

Board Chair Benton pulled item 7a.

Board Member Brownrigg motioned to approve items 7b and 7c. Board Member Ortiz seconded the motion. Approved 4-0-0.

Mr. Benton explained that item 7a was pulled because it is materially different than that which was reviewed in April. Finance Director Jan Cooke confirmed that the resolution supersedes what was reviewed in April and incorporates the cost saving provisions into the budget book and the resolution. Ms. Cooke added that while the cost saving provisions were fine-tuned, they were essentially very close to the list that was presented at the April meeting. Mr. Benton thanked Ms. Cooke and affirmed that the resolution does conform to the revisions asked of staff.

Board Member Chuang motioned to approve item 7a. Board Member Ortiz seconded the motion. Approved 4-0-0.

Before moving forward with the agenda, Board Member Brownrigg reminded the Board that they had earlier elected to have a deeper dive into pension liabilities, notwithstanding that cities are obviously dealing with dramatic declines in revenue. Board Chair Benton thanked Board Member Brownrigg for his comment.

8. STAFF REPORTS

a. Fire Chief's Report (Oral Report)

Chief Barron gave a brief update:

- COVID-19 Update
 - In March, developed and implemented an Internal Incident Action Plan, which is now updated on an as needed basis
 - Created silos to prevent exposure
 - Modified personal protective guidelines, purchased needed personal protective equipment for personnel
 - Created and revised policies to support personnel safety and overall operations
 - Continued participation in daily/weekly conference calls with City Managers, San Mateo County Fire Chiefs, CCFD command staff, Emergency Operations Center (EOC), San Mateo County EOC
 - PPE standards remain in place
 - Daily temperature and symptoms check for all
 - Administration and Prevention have returned to normal staffing
 - Fire Prevention has been concentrating on all State required inspections
 - 450 of 750 inspections have been completed
 - Operations - back to normal staffing procedures
 - E34 returned to Station 34
 - Currently discussing and evaluating interns returning and what that will look like
- Black Lives Matter
 - Increased staffing on two occasions for local protests
 - Met with HR to discuss recruitment to increase the diversity of our department to more accurately reflect the demographics of the communities we serve
 - Staff is working on a civil unrest policy

Chief Barron thanked Human Resources Manager Kristin Armbruster for being proactive and working with the CCFD Hiring Group for future recruitments.

Board Member Brownrigg commended Ms. Armbruster and Chief Barron for looking at ways to increase diversity in the department.

- Review of 7 newest Firefighters
 - Two laterals and five new hires all meeting the standards
 - Five new hires preparing for their first probationary test and working toward completion of certification classes during the upcoming fall Academy
 - Training staff working on a graduation ceremony for the five new hires sometime in mid-July.

- Hiring
 - Two conditional employment offers were made; both candidates are former interns
 - One candidate is going through the background process and will attend a fall Academy, the other candidate is in Paramedic school and will attend a Spring 2021 Academy
- Completed Battalion Chiefs' Promotional Testing
 - Four Captains participated in the process and four passed

Chief Barron shared that Chief Officers from other agencies are utilized in the testing process and all commented highly of the CCFD candidates.

- WUI – Wildland Urban Interface
 - Hillsborough WUI program postponed until 2021
 - Purchased an all-electric Chevy Bolt for WUI Prevention Specialist (part of budgeted program costs)
- Community Involvement
 - Participated in Millbrae schools' graduation parade
- OES Type VI
 - Apparatus in the building process
 - Roll out estimated for end of summer for the apparatus and MOU agreement; approval needed from counsel and Board
 - Working with San Bruno, San Mateo Consolidated and SSF Fire on all training needs and a collaborative training program to help reduce costs for all agencies

Board Member Ortiz asked about the collaborative training. Chief Barron replied that the collaborative training is driver training specifically for the Type VI, which is a 4-wheel drive vehicle that goes off-road to places where an engine company is not able to go.

- Fire Stations Update
 - Crews moved back into Station 35
 - Landscaping completed at Station 38
 - Floors completed at Admin and Station 34

Chief Barron thanked the City of Burlingame and Parks & Recreation Director Margaret Glomstad for arranging use of the recreation center for CCFD training during demolition.

Board Member Chuang thanked Chief Barron for his discipline and policies in place for keeping everyone safe.

Board Chair Benton stated the department has been tested over the last three months with the pandemic and now the civil unrest and has stepped up to the occasion. Mr. Benton thanked Chief Barron and staff for being proactive.

9. NEW BUSINESS

a. Resolution to Adopt the Salary Schedule for the Central County Fire Department

Human Resources Manager Kristin Armbruster presented the resolution to adopt the salary schedule. Ms. Armbruster stated that any time changes are made to the salary schedule, PERS requires approval by the Board in public session. The salary schedule includes the

contractual increases for the Firefighters and Chief Officers and the approved salary increases for the Management, Clerical, and Mechanic units.

Board Member Chuang motioned to approve item 9a. Board Member Ortiz seconded the motion. Approved 4-0-0.

b. Resolution Authorizing the Execution of an Agreement Between the Central County Fire Department and the College of San Mateo for Provision of Maintenance and Repair Services for Fire Apparatus and Fleet Vehicles

Chief Barron reported that after discussion with the Mechanics unit, it was learned that there is some downtime since CCFD is no longer maintaining apparatus for San Mateo Consolidated FD. The College of San Mateo reached out to request assistance with maintenance of their apparatus, which are former CCFD engines that were donated to the College. Chief Barron stated that CCFD Mechanics are familiar with the two engines currently at CSM.

Board Member Chuang asked if the engines are used to put out fires on the campus or for the Fire Academy. Chief Barron explained that the engines are used for the Academy, but in an extreme emergency, they could be used if needed. As such, should CCFD have an extreme emergency, Chief Barron stated that he would not hesitate to utilize them.

Board Member Brownrigg motioned to approve item 9b. Board Member Chuang seconded the motion. Approved 4-0-0.

10. BOARD OF DIRECTORS' COMMENTS

Board Member Chuang commended Chief Barron and staff for doing an outstanding job during this pandemic, keeping the team healthy and the community safe.

Board Member Brownrigg stated that he is delighted to hear that the repairs at Station 35 are finished and appreciated and thanked everyone for pulling together in difficult times.

Board Chair Benton inquired about the status of compiling a list of leases given that CCFD occupies buildings owned by various cities. Chief Barron explained that things have slowed a bit due to COVID-19 and that Battalion Chief Jake Pelk had been assigned Facilities and has been working with various Public Works departments on this effort.

11. ADJOURN TO CLOSED SESSION (via teleconference)

Adjourned to closed session at 4:28 p.m.

12. CLOSED SESSION

a. Conference with Legal Counsel – Existing Litigation (Gov't Code Sec 54956.9(d)(1)):
Name of Case: Eric Fuge vs. Central County Fire Department; WCAB No. ADJ11612727

b. Conference with Legal Counsel – Existing Litigation (Gov't Code Sec 54956.9(d)(1)):
Name of Case: Kevin Mernick vs. Central County Fire Department; WCAB No. ADJ12417877

13. ADJOURN CLOSED SESSION

14. REPORT FROM CLOSED SESSION

No action was taken in closed session.

15. ADJOURNMENT



AGENDA ITEM: 7a

STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: Board of Directors

DATE: September 9, 2020

FROM: Jan Cooke, Finance Director
Bruce Barron, Fire Chief

APPROVED BY:

Lisa K. Goldman, CAO

SUBJECT: Government Finance Officers Association's Certificate of Achievement in Excellence in Financial Reporting for Fiscal Year Ended June 30, 2019

Recommendation:

Staff recommends that the Board of Directors receive the Certificate of Achievement in Excellence in Financial Reporting for Fiscal Year Ended June 30, 2019.

Background:

Central County Fire Department has received the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting for Fiscal Year Ended June 30, 2019. GFOA is the national nonprofit professional association for government finance professionals in the United States and Canada. CCFD has received this award for nine consecutive years.

The Comprehensive Annual Financial Report (CAFR) has been judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive "spirit of full disclosure" to clearly communicate its financial story and motivate potential users and user groups to read the CAFR.

Fiscal Impact:

There is no fiscal impact associated with this agenda item.

Attachment:

1. GFOA Certificate of Achievement in Excellence in Financial Reporting for Fiscal Year Ending June 30, 2019



AGENDA ITEM: 7b

STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: BOARD OF DIRECTORS

DATE: September 9, 2020

FROM: Kristin Armbruster, Human Resources Manager

APPROVED BY: 
Lisa K. Goldman, CAO

SUBJECT: Resolution to Adopt the Salary Schedule for the Central County Fire Department

Recommendation:

Adopt the Resolution adopting the salary schedule for the Central County Fire Department.

Background:

This resolution memorializes two changes to the salary schedule:

- The addition of a 40-hour Firefighter pay category to be used when a 56-hour Firefighter is placed on light duty working a 40-hour week. When an employee moves from a 56-hour position to a 40-hour position, they are no longer eligible for Holiday or FLSA pay, which are additives to the base pay. In order to maintain the employee's regular pay when switching to a 40-hour position, those additives are converted into the base pay rate. That rate is reflected on the salary schedule in the new 40-hour Firefighter category.
- Increases to the salary range for Temporary – Clerical and Temporary – Technician to allow the department to place temporary staff in the range at a pay amount commensurate with the work assigned.

The California Public Employees Retirement System requires the governing body to adopt the pay schedule at a public meeting. No additional headcount is added as a result of these changes.

Fiscal Impact:

There is no fiscal impact associated with this agenda item.

Attachments:

1. Resolution Adopting the Salary Schedule for Central County Fire Department
2. Central County Fire Department Salary Schedule, effective July 6, 2020

RESOLUTION 20-19

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTRAL COUNTY FIRE
DEPARTMENT ADOPTING THE SALARY SCHEDULE FOR CENTRAL COUNTY FIRE
DEPARTMENT**

RESOLVED, by the Board of Directors of the Central County Fire Department, County of San Mateo, State of California that,

WHEREAS, Central County Fire Department has established compensation rates for all positions in Central County Fire Department; and

WHEREAS, the California Public Employees Retirement System requires the governing body of the agency to adopt a pay schedule at a public meeting; and

WHEREAS, Central County Fire Department desires to meet the requirements of the California Public Employees Retirement System.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Central County Fire Department adopts the Salary Schedule with changes effective July 6, 2020:

Approved at a regular meeting of the Board of Directors held by teleconference, this 9th day of September, 2020.

SIGNED: _____
Jess E. Benton, Chair

ATTEST: _____
Rubina Ellam, Secretary

I hereby certify that the foregoing is a true and correct copy of Resolution 20-19 adopted by the Board of Directors of Central County Fire Department, at its regular meeting held on the 9th day of September 2020 by the following vote of the members thereof:

AYES:	Board Members:	_____
NOES:	Board Members:	_____
ABSENT:	Board Members:	_____
ABSTAIN:	Board Members:	_____

Central County Fire Department
Salary Schedule - Adopted September 9, 2020

Clerical Unit			A	B	C	D	E
Effective Date							
Office Assistant I	Bi-weekly		2,072	2,176	2,285	2,399	2,519
7/6/2020	Monthly		4,489	4,715	4,951	5,198	5,458
	Annually		53,872	56,576	59,410	62,374	65,496
Office Assistant II	Bi-weekly		2,279	2,393	2,513	2,639	2,771
7/6/2020	Monthly		4,938	5,185	5,445	5,718	6,004
	Annually		59,254	62,218	65,338	68,614	72,046
Administrative Assistant	Bi-weekly		2,565	2,693	2,828	2,969	3,117
7/6/2020	Monthly		5,558	5,835	6,127	6,433	6,754
	Annually		66,690	70,018	73,528	77,194	81,042
Management Assistant	Bi-weekly		3,077	3,231	3,393	3,563	3,741
7/6/2020	Monthly		6,667	7,001	7,352	7,720	8,106
	Annually		80,002	84,006	88,218	92,638	97,266
Accounting Technician	Bi-weekly		2,889	3,033	3,185	3,344	3,511
7/6/2020	Monthly		6,260	6,572	6,901	7,245	7,607
	Annually		75,114	78,858	82,810	86,944	91,286
Senior Accounting Technician	Bi-weekly		3,177	3,336	3,503	3,678	3,862
7/6/2020	Monthly		6,884	7,228	7,590	7,969	8,368
	Annually		82,602	86,736	91,078	95,628	100,412
Community Risk and Resiliency Specialist	Bi-weekly		3,645	3,827	4,018	4,219	4,430
7/6/2020	Monthly		7,897	8,291	8,706	9,141	9,598
	Annually		94,759	99,497	104,472	109,695	115,180
Fire Prevention Specialist	Bi-weekly		3,507	3,683	3,867	4,060	4,263
7/6/2020	Monthly		7,599	7,979	8,378	8,797	9,237
	Annually		91,187	95,746	100,533	105,560	110,838
Temp - clerical	Hourly		14.00				29.00
7/6/2020							
Temp - Technician	Hourly		29.00				38.00
7/6/2020							

Management Employees			A	B	C	D	E
Effective Date							
Deputy Fire Chief	Bi-weekly		7,443	7,815	8,206	8,616	9,047
7/6/2020	Monthly		16,127	16,933	17,780	18,668	19,602
	Annually		193,518	203,190	213,356	224,016	235,222
Fire Chief	Bi-weekly		8,397	8,817	9,258	9,721	10,207
7/6/2020	Monthly		18,194	19,104	20,059	21,062	22,115
	Annually		218,330	229,247	240,709	252,745	265,382
Administrative Services Manager	Bi-weekly		4,708	4,943	5,190	5,450	5,722
7/6/2020	Monthly		10,201	10,710	11,245	11,808	12,398
	Annually		122,408	128,518	134,940	141,700	148,772

Central County Fire Department
Salary Schedule - Adopted September 9, 2020

Shop Services

Effective Date

			A	B	C	D	E
Emergency Vehicle Technician I	Bi-weekly		3,036	3,188	3,347	3,514	3,690
7/6/2020	Monthly		6,578	6,907	7,252	7,614	7,995
	Annually		78,936	82,888	87,022	91,364	95,940
Emergency Vehicle Technician II	Bi-weekly		3,340	3,507	3,682	3,866	4,059
7/6/2020	Monthly		7,237	7,599	7,978	8,376	8,795
	Annually		86,840	91,182	95,732	100,516	105,534
Emergency Vehicle Technician III	Bi-weekly		4,008	4,208	4,418	4,639	4,871
7/6/2020	Monthly		8,684	9,117	9,572	10,051	10,553
	Annually		104,208	109,408	114,868	120,614	126,641

Fire Units

Effective Date

For those hired prior to May 1, 2012

			A	B	C	D	E
Fire Fighter 56 hour	Bi-weekly		3,899.10	4,094.05	4,298.75	4,513.69	4,739.37
7/6/2020	Monthly		8,448.05	8,870.44	9,313.96	9,779.66	10,268.64
	Annually		101,376.60	106,445.30	111,767.50	117,355.94	123,223.62
Fire Fighter 40 hour	Bi-weekly		4,269.50	4,482.98	4,707.13	4,942.49	5,189.61
7/6/2020	Monthly		9,250.58	9,713.12	10,198.78	10,708.73	11,244.16
	Annually		111,007.00	116,557.48	122,385.38	128,504.74	134,929.86

For those hired after May 1, 2012

		Trainee	Probationary	A	B	C	D	E
Fire Fighter 56 hour	Bi-weekly	3,375.85	3,544.64	3,899.10	4,094.05	4,298.75	4,513.69	4,739.37
7/6/2020	Monthly	7,314.34	7,680.05	8,448.05	8,870.44	9,313.96	9,779.66	10,268.64
	Annually	87,772.10	92,160.64	101,376.60	106,445.30	111,767.50	117,355.94	123,223.62
Fire Fighter 40 hour	Bi-weekly	3,696.53	3,881.36	4,269.50	4,482.98	4,707.13	4,942.49	5,189.61
7/6/2020	Monthly	8,009.15	8,409.61	9,250.58	9,713.12	10,198.78	10,708.73	11,244.16
	Annually	96,109.78	100,915.36	111,007.00	116,557.48	122,385.38	128,504.74	134,929.86
		total of 18 months		18 months	12 months	12 months	12 months	12 months

			A	B	C	D	E
Fire Captain 56 hour	Bi-weekly		4,683.63	4,917.81	5,163.70	5,421.89	5,692.98
7/6/2020	Monthly		10,147.87	10,655.26	11,188.02	11,747.43	12,334.79
	Annually		121,774.38	127,863.06	134,256.20	140,969.14	148,017.48
Fire Captain 40 hour	Bi-weekly		5,081.74	5,335.83	5,602.62	5,882.75	6,176.89
7/6/2020	Monthly		11,010.44	11,560.97	12,139.01	12,745.96	13,383.26
	Annually		132,125.24	138,731.58	145,668.12	152,951.50	160,599.14
Battalion Chief 56 hour	Bi-weekly		6,402.50	6,722.62	7,058.75	7,411.69	7,782.27
7/6/2020	Monthly		13,872.08	14,565.68	15,293.96	16,058.66	16,861.59
	Annually		166,465.00	174,788.12	183,527.50	192,703.94	202,339.02
Battalion Chief 40 hour	Bi-weekly		6,946.29	7,293.60	7,658.28	8,041.19	8,443.25
7/6/2020	Monthly		15,050.30	15,802.80	16,592.94	17,422.58	18,293.71
	Annually		180,603.54	189,633.60	199,115.28	209,070.94	219,524.50
Fire Marshal 40 hour	Bi-weekly		6,946.29	7,293.60	7,658.28	8,041.19	8,443.25
7/6/2020	Monthly		15,050.30	15,802.80	16,592.94	17,422.58	18,293.71
	Annually		180,603.54	189,633.60	199,115.28	209,070.94	219,524.50
Deputy Fire Marshal	Bi-weekly		5,151.99	5,409.59	5,680.07	5,964.08	6,262.28

Central County Fire Department
Salary Schedule - Adopted September 9, 2020

7/6/2020	Monthly		11,162.65	11,720.79	12,306.82	12,922.17	13,568.27
	Annually		133,951.82	140,649.42	147,681.89	155,065.98	162,819.28
Fire Inspector 7/6/2020							
	Bi-weekly		4,683.64	4,917.82	5,163.71	5,421.90	5,692.99
	Monthly		10,147.88	10,655.27	11,188.04	11,747.44	12,334.81
	Annually		121,774.56	127,863.29	134,256.45	140,969.28	148,017.74
Fire Inspector no EMT 7/6/2020							
	Bi-weekly		4,519.71	4,745.69	4,982.98	5,232.12	5,493.73
	Monthly		9,792.70	10,282.33	10,796.45	11,336.27	11,903.08
	Annually		117,512.34	123,387.95	129,557.35	136,035.22	142,836.98



AGENDA ITEM: 7c

STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: Board of Directors

DATE: September 9, 2020

FROM: Jean B. Savaree, General Counsel

APPROVED BY: _____

Lisa K. Goldman, CAO

SUBJECT: Resolution Approving the Revised Conflict of Interest Code

Recommendation:

Staff recommends that the Board of Directors adopt the attached resolution approving the revised Conflict of Interest Code.

Background:

The Political Reform Act of 1974, approved by the voters, requires State and local government agencies to adopt a Conflict of Interest Code ("Conflict Code"). The Central County Fire Department has adopted a Conflict of Interest Code. State law requires the Department to periodically update the Conflict Code by adopting by reference the terms of 2 California Code of Regulations §18730, as may, from time to time, be amended by the Fair Political Practices Commission ("FPPC").

The Conflict Code must list each employee and/or Board position within the Department that makes or participates in the making of governmental decisions. Individuals employed in these positions are called "designated employees." In addition, certain consultants to public agencies must also file disclosure forms because they make or participate in making governmental decisions on behalf of the Department.

The Conflict Code reviewing body for the Department is the Fire Board. Periodically, the Fire Board, by resolution, must update the list of designated employees and/or Board positions shown in the Appendix and make any other changes needed to comply with State law.

This year, the title of Chief Administrative Official has been corrected to Chief Administrative Officer and the position of Division Chiefs has been deleted.

All necessary updates have been made and are shown in strikeout and **bold** in the attached Resolution as required by the Fair Political Practices Commission.

Staff is asking the Board to review the Conflict of Interest Code and advise if the Board would like any additional changes made.

Conclusion:

Staff recommends that the Fire Board review and adopt the attached amendments to the Department's Conflict of Interest Code. The attached Notice of Intention to Adopt or Amend a Conflict of Interest Code will then be distributed to each Designated Position shown in the Appendix. If no comments are received during the 45-day comment period, the Conflict of Interest Code will be forwarded to the County Board of Supervisors for final approval.

Attachments:

1. Resolution Approving the Revised Conflict of Interest Code for the Central County Fire Department
2. Notice of Intention to Amend a Conflict of Interest Code

RESOLUTION NO. 20-20

AMENDING A CONFLICT OF INTEREST CODE

CENTRAL COUNTY FIRE DEPARTMENT

WHEREAS, pursuant to previously adopted Resolution, the Board of Directors of the Central County Fire Department adopted a Conflict of Interest Code as required by the Political Reform Act of 1974; and

WHEREAS, California Government Code Section 87306.5 requires that the Department review its Conflict of Interest Code every even-numbered year and revise it if necessary; and

WHEREAS, the Conflict of Interest Code has been reviewed and the changes shown as ~~strikeout~~ and **bold** are proposed; and

WHEREAS, the Board of Directors has determined that the proposed changes are appropriate.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Central County Fire Department that the attached Conflict of Interest Code is hereby amended, in the form presented to the Board of Directors; and

BE IT FURTHER RESOLVED that if no comments are received pursuant to the 45-day written comment period, there will be no additional public hearing on the proposed code; and

BE IT FURTHER RESOLVED that the Chief Administrative Officer is directed to transmit a copy of the Amended Conflict of Interest Code (“Code”) to the Board of Supervisors of the County of San Mateo for its review and approval; and

BE IT FURTHER RESOLVED that the effective date of the amended Code shall be upon its approval by the Board of Supervisors and, unless and until the Code is so approved, that the Code previously adopted by the Central County Fire Department shall continue in full effect.

Regularly passed and adopted by the Board of Directors of the Central County Fire Department, State of California, on September 9, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIRMAN OF THE FIRE BOARD

ATTEST:

SECRETARY OF THE FIRE BOARD

CONFLICT OF INTEREST CODE
CENTRAL COUNTY FIRE DEPARTMENT

The purposes of this Code are to provide for the disclosure of investments, real property, income and business positions of designated Central County Fire Department officials and employees that may be materially affected by their official actions and to provide for the disqualification of designated officials and employees from participation in Central County Fire Department decisions in which they may have a financial interest.

The Political Reform Act of 1974 (Government Code Sections 81000 et seq.) requires state and local governmental agencies to adopt and promulgate conflict of interest codes. Central County Fire Department adopted a Conflict of Interest Code as required by the Political Reform Act of 1974.

The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Section 18730), which contains the terms of a standard conflict of interest code that can be incorporated by reference in an agency's code. After public notice and hearing it may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix designating officials and employees and establishing disclosure categories shall constitute the Conflict of Interest Code of the Central County Fire Department.

Designated officials and employees shall file statements of economic interests with the Chief Administrative ~~Official~~ **Officer**, filing official of Central County Fire Department. Upon

receipt of the statements, the Chief Administrative ~~Officer~~ **Officer** shall make and retain copies and forward the originals of these statements to the San Mateo County Clerk as filing officer.

APPENDIX A

DESIGNATED OFFICIALS AND EMPLOYEES

<u>Designated Positions</u>	<u>Assigned Disclosure Categories</u>
Chief Administrative Officer	1, 2, 3
Secretary	4
Treasurer	1, 2, 3
Fire Chief	1, 2, 3
Deputy Fire Chief	1, 2, 3
Battalion Fire Chiefs	1, 2, 3
Members of the Joint Powers Board	1, 2, 3
Legal Counsel	1, 2, 3
Division Chiefs	5
Fire Marshal	5
Deputy Fire Marshal	5
Fire Inspectors	5
Fire Prevention Specialist	5
Consultants/New Positions*	1, 2, 3, 4

* The Board may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Board’s determination is a public record and shall be retained for public inspection in the same manner and location as this Conflict of Interest Code. (Government Code Section 81008.)

Nothing herein excuses any consultant from any other provision of this Conflict of Interest Code, specifically those dealing with disqualification.

DISCLOSURE CATEGORIES

Category 1. All-Inclusive Reportable Investments

A designated employee in this category shall disclose all reportable investments (worth more than \$2,000):

- (a) Owned by the designated employee, his or her spouse or dependent child;
- (b) Owned by an agent on behalf of the designated employee;
- (c) Owned by any business entity controlled by the designated employee (i.e., any business entity in which the designated employee, his or her agents, spouse and dependent children hold more than a 50% ownership interest);
- (d) Owned by a trust in which the designated employee has a substantial interest (i.e., a trust in which the designated employee, his or her spouse and dependent children have a present or future interest worth more than \$2,000);
- (e) Representing the pro rata share (worth more than \$2,000) of the designated employee, his or her spouse and dependent children, of investments of any business entity or trust in which the designated employee, his or her spouse and dependent children own, directly, indirectly or beneficially, a 10% interest or greater.

“Investment” means any financial interest in or security issued by a Central County Fire Department-related business entity, including, but not limited to common stock, preferred stock, rights, warrants, options, debt instruments and any partnership or other ownership interest.

A business entity is “Central County Fire Department -related” if and only if the business entity or any parent, subsidiary or otherwise related business entity: i) has an interest in real property within the jurisdiction, ii) does business in the Central County Fire Department, or iii) did business or plans to do business in the Central County Fire Department at any time during the period commencing two years prior to and ending one year after the time the designated employee is required by this Code to file his or her next Statement of Economic Interests or to

disqualify himself or herself with respect to a Central County Fire Department decision. (The term “parent, subsidiary, or otherwise related business entity” shall be construed as specifically defined by the Commission.)

No asset is deemed an “investment” unless its fair market value exceeds \$2,000.

The term “investment” does not include a time or demand deposit in a financial institution, shares in a credit union, any insurance policy, or any bond or other debt instrument issued by any government or government agency.

Category 2. All-Inclusive Reportable Interests in Real Property

A designated employee in this category shall disclose all interests (worth more than \$2,000) in real property located within the jurisdiction if the interests are:

- (a) Held or owned by the designated employee, his or her spouse and dependent child; or
- (b) The pro rata share (worth more than \$2,000) of interests in real property of any business entity or trust in which the designated employee or spouse owns, directly or indirectly or beneficially, a 10% interest or greater.

“Interest in real property” includes any leasehold, beneficial or ownership interest, or any option to acquire such an interest, in real property, but does not include the principal residence of the filer.

Real property shall be deemed to be “located within the jurisdiction” if the property or any part of it is located within or not more than two miles outside the boundaries of the Central County Fire Department or within two miles of any land owned or used by the Central County Fire Department.

Category 3. All-Inclusive Reportable Income

A designated employee in this category shall disclose all income of the designated employee for any Central County Fire Department-related source pursuant to the aggregate

amount and gift limit outlined in 2 California Code of Regulations Section 18730, during the reporting period.

- (a) “Income” means, except as provided in subsection b), income of any nature from any Central County Fire Department -related source, including but not limited to any salary, wage, advance, payment, honorarium, award, gift, including any gift of food or beverage, loan, forgiveness or payment of indebtedness, discount in the price of anything of value unless the discount is available to members of the general public without regard to official status, rebate, reimbursement for expenses, per diem, or contribution to an insurance or pension program paid by any person other than an employer, and including any community property interest in income of a spouse from a Central County Fire Department -related source. Income of an individual also includes a pro rata share of any income of any Central County Fire Department -related business entity or trust in which the individual or spouse owns, directly, indirectly or beneficially, a ten percent interest or greater.

A source, business entity or trust is “Central County Fire Department -related” if and only if he, she or it: (I) resides in the boundaries of the Central County Fire Department, (ii) has an interest in real property within the boundaries of the Central County Fire Department, (iii) does business in the Central County Fire Department at any time during the period commencing two years prior to and ending one year after his or her next Statement of Economic Interests or to disqualify himself or herself with respect to a Central County Fire Department decision.

- (b) “Income” does not include:

- (1) Campaign contributions required to be reported under Chapter 4 of the Act;

- (2) Salary and reimbursement for expenses or per diem received from a state or local government agency and reimbursement for travel expenses and per diem received from a bona fide educational, academic or charitable organization;

- (3) Gifts of informational material, such as books, pamphlets, reports, calendars or periodicals;

- (4) Gifts which are not used and which, within thirty days after receipt, are returned to the donor or delivered to a charitable organization without being claimed as a charitable contribution for tax purposes;

- (5) Gifts from an individual’s spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, aunt, uncle, or first cousin or the spouse of any such person; provided that a gift from any such person shall be considered

income if the donor is acting as an agent or intermediary for any person not covered by this paragraph;

(6) Gifts of hospitality involving food, beverages, or lodging provided to the designated employee, if such hospitality has been reciprocated within the filing period. “Reciprocity” as used in this subsection includes the providing by the designated employee to the host of any consideration, including entertainment or household gift of a reasonable similar benefit or value;

(7) Any devise or inheritance;

(8) Interest, dividends or premiums on a time or demand deposit in a financial institution, shares in a credit union or any insurance policy, payments received under any insurance policy, or any bond or other debt instrument issued by any government or government agency;

(9) Dividends, interest or any other return on a security which is registered with the Securities and Exchange Commission of the United States Government; and

(10) Loans by a commercial lending institution in the regular course of business.

- (c) “Honorarium” means a payment for speaking at any event, participating in a panel or seminar or engaging in any similar activity. For purposes of this subsection, free admission, food, beverages and similar nominal benefits provided to a filer at an event at which he or she speaks, participates in a panel or seminar, or performs a similar service, and reimbursement or advance for actual intra-state travel and for necessary accommodations provided directly in connection with the event are not payment and need not be reported by the designated employee.

An honorarium must be reported as a gift unless it is clear from all of the surrounding circumstances that the services provided represented equal or greater value than the payment received. If it is clear from the surrounding circumstances that the services provided were of equal or greater value than the payment received, the honorarium is income, not a gift. When the designated employee claims that the honorarium is not a gift, he shall have the burden of proving that the consideration is of equal or greater value unless the designated employee is a defendant in a criminal action.

A prize or an award shall be disclosed as a gift unless the prize or award is received on the basis of a bona fide competition not related to the designated employee’s official status. Prizes or awards which are not disclosed as gifts shall be disclosed as income.

Category 4. Less-Inclusive Reportable Investments

A designated employee in this category shall disclose those, and only those, Category 1 reportable investments which pertain to a business entity, a business activity of which is that of:

- (a) Providing within the last two (2) years, or foreseeable in the future, services, supplies, materials, machinery or equipment to the Central County Fire Department.
- (b) Conducting a business in the boundaries of the Central County Fire Department which requires a business license therefor pursuant to ordinances of the Central County Fire Department.
- (c) Sale, purchase, exchange, lease or rental, or financing, for its own account or as broker, of real property or the development, syndication or subdivision of real property or construction thereon of buildings or structures.

Category 5. Less-Inclusive Reportable Interests in Real Property

A designated employee in this category shall disclose those, and only those, Category 2 reportable interests in real property where the property or any part of it is located within or not more than 500 feet outside the boundaries of the Central County Fire Department.

Category 6. Less-Inclusive Types of Reportable Income

A designated employee in this category shall disclose those, and only those types of Category 3 reportable income which are derived from a source, an activity of which is that of:

- (a) Providing within the last two (2) years, or foreseeable in the future, services, supplies, materials, machinery or equipment to the Central County Fire Department.
- (b) Conducting a business in the boundaries of the Central County Fire Department which requires a business license therefor pursuant to ordinances of the Central County Fire Department.
- (c) Sale, purchase, exchange, lease or rental, or financing, for its own account or as broker, of real property or the development, syndication, or subdivision, of real property or constriction thereon of buildings or structures.



AGENDA ITEM: 8b

STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: Board of Directors

DATE: September 9, 2020

FROM: Jan Cooke, Finance Director
Bruce Barron, Fire Chief

APPROVED BY: 

Lisa K. Goldman, CAO

SUBJECT: Pension Pre-Funding Discussion

Recommendation:

Receive the presentation and provide any feedback to staff for further analysis or actions.

Background:

At its April 2019 meeting, the Board received a pension pre-funding presentation that included various strategies for pre-funding. The reason to look at pre-funding is to help offset long-term budgetary strain and/or reduce CCFD's long-term liability. As was modeled in the presentation, CCFD would save between \$314k and \$645k, depending on the strategy employed, from pre-funding \$1 million in pension costs.

At the April 2019 meeting, the Board directed the City Managers to determine whether each City could afford to pre-fund the CCFD pension costs. Any pre-funding strategy results in additional contributions made up front to CalPERS or a Section 115 Pension Trust with the benefit of offsetting long-term liabilities or budget impacts. The City Managers of all three cities subsequently discussed pre-funding, and it was determined that the City of Millbrae was not in a financial position to pre-fund pensions at that time. Now with COVID-19 impacting City revenues more severely, the City of Millbrae has indicated that it is not able to contribute anything more than what is required for the budget and requested that the FY 2020-21 budget contribution be capped at a 3% increase.

CCFD's annual pension contribution costs are \$3.9 million (or 16% of General Fund expenditures) and will climb to nearly \$9.8 million within the next ten years. This increase will burden the General Fund budget and then will start to decline and return to current levels within 25 years. In order to ensure that there will be adequate monies available to

meet these increasing obligations in the budget, funding of a Section 115 pension trust can be beneficial, as outlined below.

CCFD's Unfunded Actuarial Accrued Liability (UAAL) is \$40.3 million and 74.9% funded ratio. The UAAL will not hit 100% funded status until approximately 2039 (20 years). CCFD pays CalPERS 7% interest annually on its UAAL, so funding it sooner is financially beneficial. The strategy of funding additional discretionary direct payments to CalPERS accelerates the funded status and provides significant savings.

Mitigation Strategies

Outlined are two common strategies used by cities and districts in mitigating pension costs.

1. Funding A Section 115 Pension Trust – Monies in a trust earn a higher rate of interest than CCFD does, so there will be more savings to help offset rising pension payments when they are most needed (ten to 15 years from now). Monies are placed in the trust, earn interest for several years, and then the monies including interest are withdrawn to help offset the cost of contributions.
2. Making Discretionary Direct Payment(s) To CalPERS –CCFD is currently projected to achieve a 90% funded status in 2039 (20 years), and any additional discretionary payment accelerates the timing of this funded status and provides significant cost savings.

At its April 22, 2020 meeting, the Board requested that staff bring back for discussion a pension pre-funding review. Staff is now seeking direction from the Board on any further analysis or actions to be taken. Considering the significant revenue impacts from COVID 19 incurred by the cities, one option would be to suspend any further discussion of pre-funding until September 2021 in the hopes that the cities' finances will have stabilized by then.

Fiscal Impact:

On a model payment of \$1 million, the following table compares the savings from the different strategies. The *Direct Payment to CalPERS* strategy provides the highest savings as compared to the *Section 115 Trust* because the earnings rate on CalPERS is expected to be higher than the trust rate. However, the Section 115 Trust provides the most flexibility as the monies are held in the trust until needed, at the Board's discretion (with limitations). The Direct Payment monies are applied immediately to the UAAL and are irrevocable, thereby providing less flexibility.

Strategy	Savings
115 Pension Trust – Monies in Trust for 15 Years	\$333k
Direct Payment to CalPERS <ul style="list-style-type: none">• Short Base – Applied to 10 Year Amortization• Long Base – Applied to 30 Year Amortization	\$314k \$645k

Attachments:

None



AGENDA ITEM: 9a


STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: Board of Directors

DATE: September 9, 2020

FROM: Jan Cooke, Finance Director
Jean B. Savaree, General Counsel

APPROVED BY: 
Lisa K. Goldman, CAO

SUBJECT: Resolution Approving Federal Emergency and Federal Grant Procurement Procedures

Recommendation:

Adopt a Resolution of the Board of Directors of the Central County Fire Department Approving Federal Emergency and Federal Grant Procurement Procedures

Background:

To receive federal funding, including possible reimbursement by the Federal Emergency Management Agency (FEMA) during an emergency declared by the President of the United States, the Central County Fire Department ("CCFD") must follow procurement procedures that reflect both its own procedures and those required by Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards ("Uniform Guidance"). To that end, after approval of the proposed Federal Emergency and Federal Grant Procurement Procedures attached hereto, CCFD will be fully compliant with the Uniform Guidance.

Most federal grant funding is governed by the Uniform Guidance. In particular, a non-federal entity, such as CCFD, must follow its own documented procurement procedures which reflect applicable state and local laws and regulations, provided that the procurement standards conform to the procurement standards in the Uniform Guidance, codified at 2 C.F.R. Sections 200.317-200.326.

This includes procurements made (i) in preparation of, during, and after an emergency declared by the President of the United States, and that may be subject to federal funding or reimbursement; and (ii) when using federal grant funds subject to the Uniform Guidance.

Specifically, in the event of an emergency declared by the President of the United States, CCFD must comply with federal procurement standards as a condition of receiving public assistance funding from FEMA for eligible work. A Federal Declaration of National Emergency was declared by President Trump on March 13, 2020 as a result of the novel coronavirus (COVID-19) pandemic.

CCFD has prepared the proposed Federal Emergency and Federal Grant Procurement Procedures ("Procedures"), which are compliant with the Uniform Guidance and federal procurement standards. The Procedures are in addition to and are not intended to replace or supersede CCFD's procurement requirements or state law requirements. In the case of a conflict between these procedures, the more stringent requirement shall govern, provided that the more stringent requirement would not violate a federal procurement requirement. In such case, for federally funded contracts, the federal requirement shall govern.

Fiscal Impact:

There is no fiscal impact to CCFD due to the approval of these procedures. They may assist in having a net positive impact as it will make CCFD eligible for FEMA reimbursement for eligible expenses.

Environmental Issues:

The adoption of these procedures is not a project subject to CEQA, because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. (CEQA Guidelines Section 15378(b)(5).)

Attachments:

1. Resolution Approving Federal Emergency and Federal Grant Procurement Procedures
2. Exhibit A - Federal Procurement Procedures

RESOLUTION NO. 20-21

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTRAL COUNTY FIRE
DEPARTMENT ADOPTING FEDERAL EMERGENCY AND FEDERAL GRANT
PROCUREMENT PROCEDURES**

RESOLVED, by the Board of Directors of the Central County Fire Department, County of San Mateo, State of California that,

WHEREAS, most federal grant funding is governed by Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”); and

WHEREAS, in particular, a non-federal entity must follow its own documented procurement procedures which reflect applicable state and local laws and regulations, provided that the procurement standards conform to the procurement standards in the Uniform Guidance, codified at 2 C.F.R. §§ 200.317-200.326; and

WHEREAS, this includes procurements made (i) in preparation of, during, and after an emergency declared by the President of the United States, and that may be subject to federal funding or reimbursement; and (ii) when using federal grant funds subject to the Uniform Guidance; and

WHEREAS, specifically, in the event of an emergency declared by the President of the United States, Central County Fire Department (“CCFD”) must comply with federal procurement standards as a condition of receiving Public Assistance funding from the Federal Emergency Management Agency (FEMA) for eligible work; and

WHEREAS, a Federal Declaration of National Emergency was declared by President Trump on March 13, 2020 as a result of the novel coronavirus (COVID-19) pandemic; and

WHEREAS, CCFD has prepared and desires to approve the Federal Emergency and Federal Grant Procurement Procedures (“Procedures”), which are compliant with the Uniform Guidance and federal procurement standards.

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board of Directors of the Central County Fire Department does hereby find and declare as follows:

SECTION 1. The recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

SECTION 2. CCFD hereby approves the Federal Emergency and Federal Grant Procurement Procedures, attached hereto as Exhibit “A.”

SECTION 3. This Resolution shall be effective as of the date of adoption. The Secretary shall certify the adoption of this Resolution.

Approved at a regular meeting of the Board of Directors held by teleconference this 9th day of September 2020.

Signed: _____
Jess E. Benton, Chair

Attest: _____
Rubina Ellam, Secretary

I hereby certify that the foregoing is a true and correct copy of Resolution 20-21 adopted by the Board of Directors of the Central County Fire Department, San Mateo County, California, at its regular meeting held on the 9th day of September, 2020, by the following vote of the members thereof:

AYES:	Board Members:	_____
NOES:	Board Members:	_____
ABSENT:	Board Members:	_____
ABSTAIN:	Board Members:	_____

EXHIBIT "A"

FEDERAL EMERGENCY AND FEDERAL GRANT PROCUREMENT PROCEDURES

[attached behind this page]

CENTRAL COUNTY FIRE DEPARTMENT

FEDERAL EMERGENCY AND FEDERAL GRANT PROCUREMENT PROCEDURES

2020

CENTRAL COUNTY FIRE DEPARTMENT
FEDERAL EMERGENCY AND FEDERAL GRANT PROCUREMENT PROCEDURES

1. **Purpose**

The purpose of these Central County Fire Department (“CCFD”) Federal Emergency and Federal Grant Procurement Procedures is to define the practices and policies governing the procurement of public works projects, contractual services, professional services or materials, supplies and equipment (i) in preparation of, during, and after an emergency that may be subject to federal funding or reimbursement; (ii) when using federal grant funds subject to the regulations set forth in the following sentence. These Federal Emergency Procurement Procedures are compliant with Title 2 of the Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (“Uniform Guidance”).

2. **Federally Declared Emergencies and Federal Grants; Procurement and Contracting Requirements**

In the event of an emergency declared by the President of the United States, CCFD must comply with Federal procurement standards as a condition of receiving public assistance funding from the Federal Emergency Management Agency (FEMA) for contract costs for eligible work. FEMA funding is governed by the Uniform Guidance.

In addition, most federal grant funding is also subject to the Uniform Guidance. Federal grant compliance requires the grantee to conduct procurements in accordance with written procurement policies and procedures that comply with the requirements set forth in the Uniform Guidance. These procurement procedures shall be complied with in connection with utilization of federal grant funding by CCFD, in addition to any other specific grant requirements.

These procedures are in addition to and are not intended to replace or supersede CCFD’s purchasing policy, or procurement requirements, including state law requirements. In the case of a conflict between these procedures, the more stringent requirement shall govern, provided that the more stringent requirement would not violate a federal procurement requirement. In such case, for federally funded contracts, the federal requirement shall govern.

(a) **Conflicts of Interest**

(i) **Standards of Conduct for Conflicts of Interest.** No employee, officer or agent of CCFD shall participate in selection, or in the award or administration of a contract supported by federal funds if a conflict of interest, real or apparent, would be involved. Such a conflict would arise when: The employee, officer or agent; any member of his immediate family; his or her partner; or an organization which employs, or is about to employ, any of the above, has a financial or other interest in the firm selected for award. CCFD’s officers, employees or agents will neither solicit nor accept gratuities, favors or anything of monetary value from contractors, potential contractors, or parties to sub-agreements. Such a conflict will not arise where the financial interest is not substantial, or the gift is an unsolicited item of nominal intrinsic value.

Employees must follow applicable laws, rules, and regulations in regard to conflicts of interest including, but not limited to, the Political Reform Act, the prohibition against contractual conflicts of interest, and guidelines in the California Code of Regulations regarding acceptance of gifts.

(ii) Violations. Disciplinary actions to be applied for violations of the above standards are as follows.

(1) The violation of these Standards of Conduct by CCFD employees will subject the violator to any disciplinary proceedings or action deemed appropriate by the Fire Chief. Employees may correct a violation in any manner provided for under the Political Reform Act, and its implementing regulations.

(2) The violation of any of these Standards of Conduct by CCFD officers will require correction of the violation in any manner provided for under the Political Reform Act, and its implementing regulations.

(3) Contractors or subcontractors that violate these Standards of Conduct as relates to an active federally-funded procurement may be prohibited from bidding on the procurement, or may be subject to other action as deemed appropriate by the Chief Administrative Officer.

(4) Agents of CCFD that violate these Standards of Conduct as relates to federally-funded procurements may be prohibited from participation on behalf of CCFD on federally funded projects, or subject to other action as deemed appropriate by the Fire Chief.

(b) Procurement Standards

(i) Oversight. CCFD shall maintain administrative oversight of contractors to ensure that contractors perform in accordance with the terms, conditions and specifications of their contracts or purchase orders.

(ii) Economical Approach. CCFD must avoid acquisition of unnecessary or duplicative items. Consideration should be given to consolidating or breaking out procurements to obtain a more economical purchase. Where appropriate, an analysis will be made of lease versus purchase alternatives, and any other appropriate analysis to determine the most economical approach. CCFD will enter into state and local intergovernmental agreements or inter-entity agreements where appropriate for procurement or use of common or shared goods and services. If feasible and it reduces project costs, CCFD will explore using federal excess and surplus property in lieu of purchasing new equipment and property. When appropriate, CCFD will investigate using value engineering clauses in contracts for construction projects of sufficient size to offer reasonable opportunities for cost reductions.

(iii) Detailed Records. CCFD shall maintain records sufficient to detail the history of each procurement. These records will include, but are not necessarily limited to the following: rationale for the method of procurement, selection of contract type, contractor selection or rejection, and the basis for the contract price.

(iv) Procurement Issues. CCFD alone shall be responsible, in accordance with good administrative practice and sound business judgment, for the settlement of all contractual and administrative issues arising out of procurements. These issues include, but are not limited to, source evaluation, protests, disputes and claims. Protest procedures or information on obtaining the procedures shall be included in the procurement documents.

(c) **Competition**

(i) Full and Open Competition. In order to ensure objective contractor performance and eliminate unfair competitive advantage, contractors that develop or draft specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements. Some of the situations considered to be restrictive of competition include but are not limited to:

- (1) Placing unreasonable requirements on firms in order for them to qualify to do business;
- (2) Requiring unnecessary experience and excessive bonding;
- (3) Noncompetitive pricing practices between firms or between affiliated companies;
- (4) Noncompetitive contracts to consultants that are on retainer contracts;
- (5) Organizational conflicts of interest, as further detailed herein;
- (6) Specifying only a “brand name” product instead of allowing “an equal” product to be offered and describing the performance or other relevant requirements of the procurement; and
- (7) Any arbitrary action in the procurement process.

(ii) Organizational Conflicts of Interest. An unfair competitive advantage could result if a contractor were allowed to submit a bid or proposal for work described in a specification or statement of work that the contractor itself developed. For the purpose of eliminating a potential unfair competitive advantage, and in compliance with applicable state and federal laws and regulations, a contractor that develops or assists in developing specifications, requirements, statements of work, invitation for bids, and/or request for proposals for CCFD procurement is excluded from competing for the resultant procurement, unless an appropriate waiver is issued by CCFD. All waivers will be assessed by CCFD on a case-by-case basis.

(iii) Geographical Preference. CCFD shall conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-state or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable federal statutes expressly mandate or encourage geographic preference. When contracting for architectural and engineering (A/E) services, geographic location may be a selection criteria

provided its application leaves an appropriate number of qualified firms, given the nature and size of the project, to compete for the contract.

(iv) Procurement Transactions. CCFD shall require the following information for procurement transactions:

(1) A clear and accurate description of the technical requirements for the material, product or service to be procured. Such description shall not, in competitive procurements, contain features which unduly restrict competition. The description may include a statement of the qualitative nature of the material, product or service to be procured, and when necessary, shall set forth those minimum essential characteristics and standards to which it must conform if it is to satisfy its intended use. Detailed product specifications should be avoided if at all possible. When it is impractical or uneconomical to make a clear and accurate description of the technical requirements, a brand name or equal description may be used as a means to define the performance or other salient requirements of procurement. The specific features of the named brand which must be met by offerors shall be clearly stated; and

(2) All requirements which the offerors must fulfill and all other factors to be used in evaluating bids or proposals.

(v) Prequalification Lists. CCFD shall ensure that all prequalified lists, if used, of persons, firms or products which are used in acquiring goods and services are current and include enough qualified sources to ensure maximum open and free competition. CCFD shall not preclude potential bidders from qualifying during the solicitation period.

(d) **Procurement Procedures**

The thresholds below are federal thresholds. If CCFD thresholds are lower, the more restrictive requirement shall govern, notwithstanding the provisions herein.

(i) Micro-Purchases. Purchases within the micro-purchase threshold (e.g., currently set at purchases of \$10,000 or less, but periodically adjusted for inflation, and \$20,000 to support a response to an emergency per 42 U.S.C. 5122) may be awarded without soliciting competitive quotations if CCFD considers the price to be reasonable. To the extent practicable, CCFD must distribute micro-purchases equitably among qualified suppliers.

(ii) Small Purchases. Purchases within the simplified acquisition threshold (e.g., currently set at purchases of \$250,000 or less and \$750,000 to support a response to an emergency per 42 U.S.C. 5122) shall not be required to be formally bid. Price quotations must be received from no less than three (3) sources.

(iii) Formal, Sealed Bidding.

(1) Bids are publicly solicited and a firm-fixed-price contract (lump sum or unit price) is awarded to the responsible bidder whose bid, conforming to all the material terms and conditions of the invitation for bids, is the lowest in price. Formal, sealed bidding is required for purchases greater than the simplified acquisition threshold, which is currently set at \$250,000, or as may be adjusted by the Federal Acquisition Regulation, pursuant to 48 CFR § 2.101, and \$750,000 to support a response to an emergency per 42 U.S.C. 5122.

(2) This is the preferred method for procuring construction, if a complete, adequate, and realistic specification or purchase description is available; two or more responsible bidders are willing and able to compete effectively and for the business; and the procurement lends itself to a firm-fixed-price contract and the selection of the successful bidder can be made principally on the basis of price.

(3) CCFD must publicly advertise the Invitation for Bids and publicly open all bids at the time and place prescribed in the invitation.

(4) Any contracts awarded pursuant to this procedure shall be to the lowest responsible bidder submitting a responsive bid and shall be for a firm fixed price. Any or all bids may be rejected if there is a sound documented reason.

(iv) Competitive Proposals.

(1) When the nature of a procurement does not lend itself to formal, sealed bidding, CCFD may solicit competitive proposals. The technique of competitive proposals is normally conducted with more than one source submitting an offer, and either a fixed-price or cost-reimbursement type contract is awarded.

(2) A request for proposals (RFP) must be publicly advertised, and CCFD must solicit proposals from an adequate number of sources. The RFP must identify all evaluation factors and their relative importance; however, the numerical or percentage ratings or weights need not be disclosed.

(3) Evaluation factors that will be considered in evaluating proposals shall be tailored to each procurement and shall include only those factors that will have an impact on the selection decision.

a. CCFD shall establish a formal evaluation committee, of at least two persons. The size of an evaluation committee should be based on the size and complexity of the goods or services being procured and well balanced and represented by individuals involved with the procurement and/or affected by the goods or services being procured.

b. The evaluation committee will be charged with responsibility for evaluating proposals in accordance with the evaluation criteria in the solicitation, short listing firms, establishing a competitive range, and/or recommending a firm or firms for contract award.

(4) Any contract awarded based on the competitive proposal procurement process cannot be based exclusively on price or price-related factors.

(5) If a contract is awarded, it shall be to the responsible firm whose proposal is most advantageous to CCFD (“best value”), with price and other factors considered.

(v) Competitive Proposals for A&E Services. The competitive proposal procedures above may be used for procurement of architect and engineering (A&E) services, provided that proposers must be evaluated based on competence and qualifications, without regard to price. For A&E procurements, price will not be used as a selection factor. CCFD will rank proposers based on qualifications only, and attempt to negotiate fair and reasonable compensation with the highest ranked proposer. If negotiations with the highest ranked proposer are unsuccessful, such negotiations will be terminated and CCFD will commence negotiations with the next highest ranked proposer. This process shall be continued with successive qualified proposers until agreement is reached that is determined to be fair and reasonable.

(vi) Noncompetitive Procurements.

(1) Contracts may be procured through a noncompetitive proposal only when:

- a. The item is only available from a single source;
- b. The public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation;
- c. The Federal awarding agency or pass-through entity expressly authorizes noncompetitive proposals in response to a written request from CCFD; or
- d. Competition is deemed inadequate after the solicitation of a number of sources.

(vii) Public Projects. Public projects shall be procured by CCFD’s formal contract bid procedures, if any, and the formal, sealed bidding in this section. If there is conflict between the foregoing, the more restrictive requirements shall apply.

(viii) Award.

(1) Responsible Contractor. CCFD shall award contracts only to responsible contractors possessing the ability to perform successfully under the terms and conditions of a proposed procurement. Consideration will be given to such matters as contractor integrity, compliance with public policy, record of past performance, and financial and technical resources.

(2) Debarment and Suspension. In accordance with 2 CFR 200.213, in connection with the responsibility determination, a check of debarment and suspension using the System for Award Management (SAM), www.sam.gov, must be performed and documented in the procurement records prior to award.

(e) Contracting with Small and Minority Firms, Women's Business Enterprises, and Labor Area Surplus Firms

(i) CCFD must take all necessary affirmative steps to ensure the use of minority businesses, women's business enterprises, and labor surplus area firms when possible, as set forth at 2 CFR § 200.321 and detailed below. CCFD shall:

(1) Place qualified small and minority businesses and women's business enterprises on solicitation lists;

(2) Assure that small and minority businesses, and women's business enterprises are solicited whenever they are potential sources;

(3) Divide total requirements, when economically feasible, into smaller tasks or quantities to permit maximum participation by small and minority businesses, and women's business enterprises;

(4) Establish delivery schedules, where the requirement permits, which encourage participation by small and minority businesses, and women's business enterprises;

(5) Use the services and assistance, as appropriate, of such organizations as the Small Business Administration and the Minority Business Development Agency of the Department of Commerce; and

(6) Require the prime contractor, if subcontracts are to be let, to take the affirmative steps listed in paragraphs (1) through (5) of this section.

(ii) CCFD shall document the steps above, and any relevant findings applicable to any of the steps above in its procurement file.

(f) Cost and Price

(i) Cost or Price Analysis. CCFD shall perform a cost or price analysis in connection with every procurement action, including contract modifications, in excess of the simplified acquisition threshold. While the method and degree of analysis depend on the facts surrounding the particular procurement situation, CCFD must, at a minimum, make independent estimates before receiving bids or proposals.

(ii) Profit. CCFD shall negotiate profit as a separate element of the price for each contract in which there is no price competition and in all cases where a cost analysis is performed as required by 2 CFR § 200.323(b).

(iii) Estimated Costs. Costs or prices based on estimated costs for contracts are allowable only to the extent that costs incurred or cost estimates included in negotiated prices would be allowable for CCFD under 2 CFR 200.400 et seq.

(g) **Payment Procedures**

(i) Method of Contracting. Contracts entered into pursuant to these procedures shall utilize only fixed-price, cost-reimbursement, or, to a limited extent, time and materials payment methods.

(ii) Prohibited Methods of Contracting. CCFD shall not use the cost plus a percentage of cost or percentage of construction cost methods of contracting for any work for which federal reimbursement will be sought.

(iii) Time and Materials (“T&M”) Contracts

(1) T&M contracts should be used rarely, and the use of T&M contracts should be limited to a reasonable time period (e.g., no more than 70 hours) based on circumstances during which CCFD cannot define a clear scope of work.

(2) CCFD shall only enter into a time and materials contract if all of the following apply:

a. CCFD has determined and documented in the project file that no other contract is suitable;

b. The contract has a guaranteed maximum price that the contractor exceeds at its own risk; and

c. CCFD provides a high degree of oversight to obtain reasonable assurance that the contractor is using efficient methods and effective cost controls.

(3) CCFD must define the scope of work as soon as possible to enable procurement of a more acceptable type of contract (i.e., non-T&M).

(iv) Separate Invoicing

(1) All purchases made during a proclaimed emergency shall require separate invoicing from routine (i.e., non-emergency related) purchases. All invoices shall state the goods, services, or equipment provided and shall specify where the goods or services were delivered. All invoices shall specify the location(s) where the goods or services were used, if possible. Any invoice which fails to properly identify the emergency nature of the purchase and provide details as to the date(s) and location(s), as appropriate, shall not be paid until such errors are corrected by the vendor and re-submitted in correct form.

(v) Auditing of Invoices for Debris Removal. All invoices for debris clearance and removal shall be audited prior to payment to the contractor. Contractors shall be notified of this requirement prior to the award of any contract for debris clearance and/or removal. Audits shall be in accordance with procedures for debris removal monitoring specified in FEMA’s Publication 325, Debris Management Guide.

(h) **Bonding Requirements**

(i) Bonding. For construction or facility improvement contracts or subcontracts exceeding the simplified acquisition threshold (See 2 CFR 200.88), CCFD shall require at a minimum:

(1) A bid guarantee from each bidder equivalent to five percent of the bid price.

(2) A performance bond on the part of the contractor for 100 percent of the contract price.

(3) A payment bond on the part of the contractor for 100 percent of the contract price.

(i) **Procurement of Recovered Materials**

(i) For procurements covered under these procedures, CCFD and its contractors must comply with section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. In accordance with these requirements, CCFD shall only procure items designated in the guidelines of the Environmental Protection Agency (EPA) at 40 CFR part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition; procuring solid waste management services in a manner that maximizes energy and resource recovery; and establishing an affirmative procurement program for procurement of recovered materials identified in the EPA guidelines.

(ii) This requirement applies to purchases of items when the purchase price of the item exceeds \$10,000, or the value of the quantity acquired during the preceding fiscal year exceeded \$10,000.

(j) **Contract Provisions**

(i) Contract Provisions. CCFD's contracts shall contain the applicable provisions described in Appendix II to Part 200 – Contract Provisions for Non-Federal Entity Contracts Under Federal Awards.

(k) **Pre-Event Contracts**

(i) CCFD may choose to solicit bids and proposals and award contracts in non-disaster times. This may include, but is not limited to, debris removal contracts and debris monitoring contracts.



AGENDA ITEM: 9b

STAFF REPORT

MTG. DATE: Sept. 9, 2020

TO: Board of Directors

DATE: September 9, 2020

FROM: Jan Cooke, Finance Director
Jean B. Savaree, General Counsel

APPROVED BY:

Lisa K. Goldman, CAO

SUBJECT: Resolution Approving Designation of Applicant's Agent for Obtaining Federal and/or State assistance for Expenses incurred in response to COVID-19

Recommendation:

Adopt a Resolution to designate the Chief Administrative Officer or Finance Director as the agents of the Central County Fire Department ("CCFD") for the purposes of obtaining federal and/or state financial assistance for expenses incurred in response to COVID-19

Background:

In response to the growing and evolving threat of the COVID-19 pandemic, and to protect the public health and safety, the following actions have been taken at the local, state, and federal level over the last several months:

March 3, 2020 - The County of San Mateo County Manager's Office issued a Public Health Emergency Proclamation, and along with the San Mateo County Health Officer, declared a local health emergency, which was ratified by the County of San Mateo Board of Supervisors on March 10, 2020.

March 4, 2020 - The Governor of the State of California declared a State of Emergency.

March 13, 2020 - The President of the United States declared a national emergency and on March 22, 2020, approved a Presidential Major Disaster Declaration (FEMA-DR-4482-CA).

March 16 and March 17, 2020 - The governing boards for both the City of Burlingame and the Town of Hillsborough determined that conditions were met to warrant proclaiming a local emergency within their jurisdictions. Each proclamation authorized the Director of Emergency Services to execute for and on behalf of the Central County Fire Department any agreement or application, and to file the agreement or application with the California Governor's Office of Emergency Services for the purposes of obtaining state & federal financial assistance.

April 22, 2020 – The Board of Directors of CCFD approved a resolution confirming and ratifying the actions of Burlingame and Hillsborough taken on March 16 and March 17, 2020 including the declarations of emergency in response to the 2019 Novel Coronavirus (COVID-19) outbreak.

FEMA may provide funding to eligible applicants for costs related to emergency protective measures performed because of the COVID-19 pandemic. Such emergency measures are activities performed to address immediate threats to life, public health, and safety. Applicants may submit funding requests to the Recipient and FEMA through the Public Assistance Grants Portal. FEMA provides funding through Recipients to eligible Applicants. The assistance provided through the Public Assistance program is subject to a cost share. The federal share is not less than 75 percent of eligible costs.

In accordance with section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), federal funding is available to state, tribal, and eligible local governments and certain private nonprofit organizations on a cost-sharing, reimbursement basis for emergency protective measures in response to the COVID-19 pandemic, including but not limited to:

1. Management, control, and reduction of immediate threats to public health and safety:
 - a. Emergency Operations Center Costs.
 - b. Training specific to the declared event.
 - c. Disinfection of eligible facilities.
 - d. Technical assistance on emergency management and control of immediate threats to the public health and safety.
2. Emergency Medical Care.
3. Purchase and distribution of food, water, ice, medicine, and other consumable supplies, including personal protective equipment (PPE) and hazardous material suits.
4. Movement of supplies and persons.
5. Security and law enforcement.
6. Communication of general health and safety information to the public; and
7. Eligible overtime costs.

In order for CCFD to submit a request for Public Assistance to the California Governor's Office of Emergency Services (CalOES) in accordance of the guidelines from CalOES, the Board must adopt a resolution designating an agent or agents for the purpose of responding to and coordinating with CalOES for "all matters pertaining to such state disaster assistance."

The attached resolution designates the Chief Administrative Officer or the Finance Director as CCFD's agents. This is a universal resolution and is valid for all open and future disasters for up to three (3) years from date of approval. This will allow CCFD to seek cost recovery for eligible disaster expenses.

Fiscal Impact:

The action of approving the Designation of Applicant's Agent Resolution for Non-State Agencies has no direct financial impact.

Attachments:

1. Resolution Approving Designation of Applicant's Agent for Obtaining Federal and/or State assistance for expenses incurred in response to COVID-19
2. Exhibit A – Designation of Applicant's Agent Resolution for Non-State Agencies

RESOLUTION NO. 20-22

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE CENTRAL COUNTY FIRE DEPARTMENT DIRECTING THE CHIEF ADMINISTRATIVE OFFICER AND THE FINANCE DIRECTOR AS THE AGENTS OF CENTRAL COUNTY FIRE DEPARTMENT FOR THE PURPOSES OF OBTAINING FEDERAL AND/OR STATE ASSISTANCE FOR EXPENSES INCURRED IN RESPONSE TO COVID-19

RESOLVED, by the Board of Directors of the Central County Fire Department, County of San Mateo, State of California that,

WHEREAS, emergency declarations have been taken at all levels of government in reaction to the COVID-19 pandemic; and

WHEREAS, in accordance with Section 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, federal funding is available to state, tribal, and eligible local governments and certain private nonprofit organizations on a cost-sharing, reimbursement basis for emergency protective measures in response to the COVID-19 pandemic; and

WHEREAS, Central County Fire Department incurred costs related to emergency protective measures, and expects to submit a "Request for Public Assistance" to the California Governor's Office of Emergency Services (Cal OES); and

WHEREAS, in addition to Central County Fire Department qualifying for funding, the Board of Directors must adopt a resolution designating an agent or agents for the purposes of responding to and coordinating with CalOES for "all matters pertaining to such state disaster assistance".

NOW THEREFORE, BE IT FURTHER RESOLVED that the Board of Directors of the Central County Fire Department does hereby find and declare as follows:

1. The Chief Administrative Officer and the Finance Director are designated as the Central County Fire Department agents pursuant to the Designation of Applicant's Agent Resolution for Non-State Agencies, included here in as Exhibit A.
2. The Designation of Applicant's Agent Resolution for Non-State Agencies is approved.

Approved at a regular meeting of the Board of Directors held by teleconference this 9th day of September, 2020.

Signed: _____
Jess E. Benton, Chair

Attest: _____
Rubina Ellam, Secretary

I hereby certify that the foregoing is a true and correct copy of Resolution 20-22 adopted by the Board of Directors of the Central County Fire Department, San Mateo County, California, at its

regular meeting held on the 9th day of September, 2020, by the following vote of the members thereof:

AYES: Board Members: _____

NOES: Board Members: _____

ABSENT: Board Members: _____

ABSTAIN: Board Members: _____

**DESIGNATION OF APPLICANT'S AGENT RESOLUTION
FOR NON-STATE AGENCIES**

BE IT RESOLVED BY THE Board of Directors OF THE Central County Fire Department
(Governing Body) (Name of Applicant)

THAT Chief Administrative Officer, OR
(Title of Authorized Agent)

Finance Director, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Central County Fire Department, a public entity
(Name of Applicant)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the Central County Fire Department, a public entity established under the laws of the State of California,
(Name of Applicant)

hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

☒ This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of approval below.

☐ This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

_____, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20____.

(Signature)

(Title)

Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted Resolution is older than three (3) years from the last date of approval, is invalid or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California. Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document or their title changes.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member (if a person holds two positions such as City Manager and Secretary to the Board and the City Manager is to be listed as an Authorized Agent, then the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification."