

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> July 20, 2021	<b>TYPE OF AGENDA ITEM:</b> <input type="checkbox"/> Regular <input type="checkbox"/> Timed <input checked="" type="checkbox"/> Consent
<b>DEPARTMENT:</b> Public Works & Transportation	
<b>APPROVING PARTY:</b> Tim H. Beals, Director	
<b>PHONE NUMBER:</b> 530-289-3201	

**AGENDA ITEM:** Memorandum of Understanding between the County of Sierra and the Downieville Improvement Group to contribute to the renovation of the Downieville Community Hall.

**SUPPORTIVE DOCUMENTS ATTACHED:**  Memo  Resolution  Agreement  Other

**BACKGROUND INFORMATION:** The donation is designated for the project to renovate the Community Hall, a development project funded under Proposition 68, State Park Bond Act, Per Capita Funding Allotment.

**FUNDING SOURCE:** Donation - DIG  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$70,000 N/A

<b>ARE ADDITIONAL PERSONNEL REQUIRED?</b>  <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	<b>IS THIS ITEM ALLOCATED IN THE BUDGET?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  <b>IS A BUDGET TRANSFER REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**SPACE BELOW FOR CLERK'S USE**

<b>BOARD ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2021- _____ Agreement 2021- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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**COMMENTS:**

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CLERK TO THE BOARD

\_\_\_\_\_  
DATE

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
THE COUNTY OF SIERRA  
AND  
DOWNIEVILLE IMPROVEMENT GROUOP**

This Memorandum of Understanding (“MOU”) is made and entered into this 20th day of July 2021, between the County of Sierra, a political subdivision of the State of California (“County”), and Downieville Improvement Group, a 501(c)(3) nonprofit corporation (“DIG”).

WHEREAS, County is engaged in a project to renovate the Downieville Community Hall, located at 322 Main Street, Downieville, California, 95936 (“Community Hall”); and

WHEREAS, DIG is a 501(c)(3) nonprofit corporation and wishes to donate \$70,000 to the County to contribute to the renovation of the Downieville Community Hall.

NOW, THEREFORE, the parties agree as follows:

**I. DONATION AND ACCEPTANCE**

- a. DIG hereby pledges to County a donation of seventy-thousand dollars (\$70,000) (the “Donation”).
- b. The Donation will be paid in a one-time installment by DIG to the County on or before August 3, 2021.
- c. County hereby accepts the Donation from DIG and agrees to hold and administer the funds in accordance with the terms and conditions of this agreement.

**II. DESIGNATION AND USE OF DONATION**

- a. The Donation is designated for the project to renovate the Downieville Community Hall, a development project funded under Proposition 68, State Park Bond Act, Per Capita Funding Allotment (the “Project”).
- b. County shall make use of the Donation for the purposes identified herein and shall not change the use thereof without DIG’s prior written consent.
- c. In the event that the Project is no longer practical, or the Project ceases to exist, the County agrees that the Donation shall be returned to DIG, unless otherwise authorized in writing by DIG.

**III. COVENANTS**

- a. County shall ensure that the Project will be sufficiently funded by grant or other pledges from other sources to fully complete the Project.

IV. GENERAL PROVISIONS

- a. DIG accepts no responsibility for, or liability related to the Project.
- b. Neither party may assign their rights or obligations under this MOU.
- c. This MOU constitutes the entire agreement between the parties with respect to the subject matter hereof, and all prior or contemporaneous agreements, understandings and representations, oral or written, are superseded. The provisions of this MOU may not be modified, except by a written instrument signed by both parties.
- d. All notices, demands, requests or other communication required or permitted to be given hereunder shall be in writing and sent by First Class United States Mail, postage prepaid to the following address:

To County:

Chairman, Sierra County Board of Supervisors  
PO Drawer D  
Downieville, California 95936

To DIG:

Cherry Simi, President  
Downieville Improvement Group  
P.O. Box 115  
Downieville, CA 95936

[signature page to follow]

IN WITNESS WHEREOF, the parties have executed this MOU effective as of the date first written above.

**COUNTY OF SIERRA:**

**DOWNIEVILLE IMPROVEMENT GROUP:**

By \_\_\_\_\_  
Lee Adams, Chairman  
Board of Supervisors

By \_\_\_\_\_  
Name: \_\_\_\_\_  
Title.: \_\_\_\_\_

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

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

Approved as to form:

By: \_\_\_\_\_  
David Prentice  
County Counsel

Attest:

By: \_\_\_\_\_  
Heather Foster  
Clerk of the Board