

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

<b>MEETING DATE:</b> October 5, 2021	<b>TYPE OF AGENDA ITEM:</b> <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input 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:** MOU with Downieville Fire Auxiliary authorizing transfer of and specifying use of funds paid from PG&E to Sierra County for use of the Downieville Community Hall during Public Safety Power Outages.

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

**BACKGROUND INFORMATION:** Sierra County has in place an approved License Agreement with PG&E for use of the Downieville Community Hall during Public Safety Power Shut-off events as a Community Resource Center. This MOU authorizes the transfer of the PSPS rental funds to the Downieville Fire Auxiliary for maintenance, janitorial services, and minor repairs to the Downieville Community Hall in accordance with the provisions of the MOU.

**FUNDING SOURCE:** Parks & Rec Rental  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$500/day per use 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 FIRE AUXILIARY  
AUTHORIZING TRANSFER OF PGE-PSPS CRC REVENUES**

This Memorandum of Understanding (“MOU”) is made and entered into this 5TH day of October 2021, between the County of Sierra, a political subdivision of the State of California (“County”), and Downieville Fire Auxiliary a 501(c)(3) nonprofit corporation (“DFA”).

WHEREAS, County has authorized Pacific Gas and Electric Company (PGE) to rent the Downieville Community Hall for a Community Resource Center (CRC) at times throughout a given year as part of serving the community during Public Safety Power Shutdown (PSPS) events and an agreement executed between PGE and the County provides for the payment by PGE of rental fees to County; and,

WHEREAS, County desires to transfer funds received from PGE for the rental fees of the Downieville Community Hall to DFA for exclusive use by DFA on maintenance and improvements to the Downieville Community Hall; and,

NOW, THEREFORE, the parties agree as follows:

**I. TRANSFER OF FUNDS AND ACCEPTANCE**

- a. County authorizes the County Auditor to transfer to DFA, rental fees received from PGE for the rental of the Downieville Community Hall when it is used for a Community Resource Center as part of a Public Safety Power Shutdown (PSPS) event.
- b. County will transfer to DFA rental fees collected from PGE within thirty (30) days of deposit in the County Treasury.
- c. DFA hereby accepts periodic transfers of rental fees from County and agrees to maintain an account of the income and expenses of the transferred revenues and hold and administer the funds in accordance with the terms and conditions of this agreement.

**II. DESIGNATION AND USE OF FUNDS TRANSFERRED BY COUNTY**

- a. The transfer of funds from County to DFA is restricted to use by DFA to offset the ongoing costs to DFA for maintenance, janitorial services, and minor improvements to the Downieville Community Hall.
- b. DFA shall make use of the transferred funds for the purposes identified herein and shall not change the use thereof without County’s prior written consent.
- c. In the event that the transfer of funds to DFA is no longer practical or the DFA is removed from or ceases to be responsible for the maintenance and rental of the Downieville Community Hall, DFA agrees that the balance of funds received from County shall be returned to County, unless otherwise authorized in writing by County.

III. GENERAL PROVISIONS

- a. Neither party may assign their rights or obligations under this MOU.
- b. 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.
- c. 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 DFA:

Jill Tahija, President  
Downieville Fire Auxiliary  
P.O. Box 645  
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 FIRE AUXILIARY:**

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

By \_\_\_\_\_  
Name: Jill Tahija  
Title.: President, DFA

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

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

Approved as to form:

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

Attest:

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