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**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

FROM: Economic Development Agency

SUBMITTAL DATE:
May 18, 2009

SUBJECT: Administration of the American Recovery and Reinvestment Act Program

RECOMMENDED MOTION: That the Board of Supervisors:

- 1) Designate the Assistant County Executive Officer/EDA/FM as the County Economic Recovery Funds Stimulus Officer, as recommended by the County Executive Officer;
 - 2) Designate EDA as the clearinghouse for all applications for American Recovery and Reinvestment Act Program (ARRA) funding and reporting;
 - 3) Authorize the Stimulus Officer to create a task force of stakeholder departments to ensure coordination and consistent reporting from departments and other entities receiving ARRA funds; and
 - 4) Approve and authorize the Stimulus Officer and County departments involved with ARRA to enter into the attached Memorandum of Understanding that outlines roles and responsibilities in order to comply with State and Federal program requirements; and
- (Continued on Page 2)

Robert Field
Assistant County Executive Officer/ EDA/FM

FINANCIAL DATA	Current F.Y. Total Cost:	\$0	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$0	Budget Adjustment:	N/A
	Annual Net County Cost	\$0	For Fiscal Year:	N/A

SOURCE OF FUNDS: N/A	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION: APPROVE

BY:
Jennifer L. Sargent

County Executive Office Signature

Consent
 Policy
 Consent
 Policy

FORM APPROVED COUNTY COUNSEL
 BY:
 MICHELLE CLACK
 DATE: 5/20/09
 Departmental Concurrence

Dept't Recomm.:
 Per Exec. Ofc.:

3.36

RECOMMENDED MOTION: (continued)

- 5) Authorize the Economic Development Agency to apply for, receive, and distribute funding from the Energy Efficiency & Conservation Block Grant Program (EECBG) to eligible parties for eligible activities; and
- 6) Authorize the Stimulus Officer to sign the Federal SF 424 form (Application for Federal Assistance) and the Davis-Bacon certification letter for the EECBG application package.

BACKGROUND:

There are many funding sources and programs that the County of Riverside is eligible for and receiving under various portions of ARRA. To ensure appropriate participation in and administration of these opportunities, County Executive Officer Bill Luna has designated the Assistant County Executive Officer/EDA/FM as the County Economic Recovery Funds "Stimulus Officer." He has also designated the Economic Development Agency as the lead agency for ensuring that funds are received and used in accordance with federal and state mandates.

ARRA requires unprecedented levels of transparency and accountability in expenditures and contains built-in measures to prevent fraud, waste and abuse. Funding that is awarded comes with strict requirements for use, reporting, and publication of results of expenditures. Listed below are key principles of funding through ARRA:

- The recipients and uses of all recovery funds are transparent to the public, and that the public benefits of these funds are reported clearly, accurately, and in a timely manner
- Recovery funds are used for authorized purposes and every step is taken to prevent instances of fraud, waste, error, and abuse
- Projects funded under the recovery legislation avoid unnecessary delays and cost overruns
- Programs meet specific goals and targets, and contribute to improved performance on broad economic indicators.

Specific activities to accomplish this will include:

- Assigning staff to research and identify funding opportunities
- Communicating funding opportunities to the Board, Executive Office, and County departments through a variety of methods, including a new program specific website, www.RivCoRecovery.com
- Assigning staff to oversee the reporting function, while also ensuring grant recipients contracted to implement the programs provide key information for reporting
- Developing a group of stakeholder departments to ensure the coordination of applications, complying with program specific requirements, and meeting the principles of ARRA

Attached is a Memorandum of Understanding to be used by and between the Economic Development Agency and all county departments involved with ARRA funding. It outlines the roles and responsibilities to ensure the above principles and activities are accomplished.

Energy Efficiency & Conservation Block Grant Program

At the end of March, the U.S. Department of Energy (DOE) released its announcement of the Energy Efficiency & Conservation Block Grant (EECBG) program. The County of Riverside is eligible for to receive a grant of \$6,591,600. The main elements and eligible activities of the program are as follows:

1. The EECBG program consists of one-time funding.
2. Grant performance period is 36 months. Funds must be obligated or committed with 18 months of award and completely spent (projects completed) within 36 months of award. DOE reserves the right to deobligate the funds and cancel the award if this is not achieved.
3. Initial response date: June 25, 2009.
4. All applications for funding must include an "Energy Efficiency and Conservation Strategy" document, either submitted with the initial application or within 120 days of the award.
5. The application package must also address financial management systems and accountability, project environmental impacts, and ability to adhere to strict reporting requirements.
6. Eligible activities include:
 - Development of an Energy Efficiency and Conservation Strategy
 - Technical Consultant Services (to assist in development of strategies)
 - Residential and Commercial Building Energy Audits
 - Financial Incentive Programs
 - Energy Efficiency Retrofits
 - Energy Efficiency and Conservation Programs for Buildings and Facilities
 - Development and Implementation of Transportation Programs
 - Development of Building Codes and Inspections for Energy Efficiency
 - Energy Distribution Technologies
 - Material Conservation Programs
 - Reduction and Capture of Methane and Greenhouse Gases
 - Traffic Signals and Street Lighting
 - Renewable Energy Technologies on Government Buildings

The Economic Development Agency anticipates that the total cost of all proposed projects will exceed the allocation. In an effort to distribute the funds as equitably as possible, a committee of stakeholders will be formed to evaluate all proposed projects, based on a matrix reflective of the EECBG program principles and goals. The projects achieving the highest matrix scores and falling within the funding limitations will be approved for funding through the program.

- 1 c. EDA shall disseminate information on potential ARRA funding
2 opportunities to Agency, cities and other interested parties.
- 3 d. EDA shall convene a Recovery Task Force for the purpose of
4 coordinating applications and reporting of ARRA programs.
- 5 e. EDA shall receive copies of submitted applications from Agency and
6 maintain files for the ARRA funded programs.

7 2. Agency Obligations

- 8 a. Agency shall be responsible for submitting its own application(s) to the
9 state or federal government for ARRA grant opportunities.
- 10 b. Agency shall, within fifteen (15) days of submitting the application, notify
11 EDA in writing of the submitted application.
- 12 c. Agency shall, within fifteen (15) days of submitting the application,
13 provide EDA with paper and electronic copies of the submitted
14 application.
- 15 d. Agency shall, at the Recovery Task Force meeting or within fifteen (15)
16 days of a status change, provide EDA with status updates on the
17 submitted applications.
- 18 e. Agency shall comply with all reporting requirements and timelines
19 applicable to the submitted application(s) and/or approved allocation of
20 ARRA program funds.
- 21 f. At the time Agency submits any required reporting information for an
22 ARRA funded program, Agency shall also provide a copy of the
23 reporting information to EDA.
- 24 g. Agency shall designate a representative who shall attend the Recovery
25 Task Force meetings and provide updates on the Agency's ARRA
program activity.

1 3. MODIFICATION. This MOU may be modified or amended only in writing and
2 shall be executed by the duly authorized and empowered representatives of
3 the EDA and _____.

4 4. COMPLIANCE WITH LAWS. Agency and EDA shall comply with all
5 applicable federal, state and local laws, rules and regulations.

6 5. MINISTERIAL ACTS. The respective Director or designee of the agencies that
7 are party to this MOU are authorized to take such ministerial actions as may
8 be necessary or appropriate to implement the terms, provisions, and
9 conditions of this MOU.

10 6. ENTIRE MOU. This MOU is intended by the parties hereto as a final
11 expression of their understanding with respect to the subject matter hereof and
12 as a complete and exclusive statement of the terms and conditions thereof,
13 and supersedes any and all prior and contemporaneous leases, agreements
14 and understandings, oral or written, in connection therewith.

15 **IN WITNESS WHEREOF**, Agency and EDA have executed this MOU as of the
16 date first above written.

17 Economic Development Agency

18
19 By: _____
20 Robert Field
21 Assistant County Executive Officer/ EDA / FM

22 (Agency)

23
24 By: _____
25 (Director)

FORM APPROVED COUNTY COUNSEL

BY: Michelle Clack DATE: 5/22/09
MICHELLE CLACK