

**MOORPARK CITY COUNCIL  
AGENDA REPORT**

**TO:** The Honorable City Council

**FROM:** John Brand, Senior Management Analyst 

**DATE:** September 10, 2008 (CC meeting of September 17, 2008)

**SUBJECT:** Consider Resolution Authorizing Submittal of an Emergency Management Performance Grant Application, and Amending Fiscal Year 2008-2009 Budget to Reflect \$9,280.88 in Grant Revenue

**SUMMARY**

The City Council is being asked to consider authorizing submittal of the City's application for an Emergency Management Performance Grant in the amount of \$9,280.88 for the purpose of implementing eligible emergency preparedness activities.

**BACKGROUND**

The federal Department of Homeland Security's Emergency Preparedness and Response Directorate, better known as the Federal Emergency Management Agency (FEMA), provides grants to help state and local governments better prepare for and respond to all hazards, disasters, and emergency situations. The Emergency Management Performance Grant (EMPG) program provides states the flexibility to allocate funds according to risk vulnerabilities and to address the most urgent state and local needs in disaster mitigation, preparedness, response, and recovery. The need to enhance emergency management systems in California was recognized in the Governor's Executive Order (S-02-05) and demonstrated in the lessons learned from the 2005 Katrina and Rita disasters in the south and gulf states. The EMPG program provides an opportunity to achieve greater integration of emergency management systems at all levels of government.

The purpose of the Fiscal Year 2008 Emergency Management Performance Grant (FY08 EMPG) is to support comprehensive emergency management at the state, tribal and local levels and to encourage the improvement of mitigation, preparedness, response, and recovery capabilities for all hazards. Funds provided under the EMPG must be used to support activities that contribute to the Operational Area's capability to prevent, prepare for, mitigate against, respond to, and recover from emergencies and disasters, whether natural

or man-made. Towards this end, the State Office of Emergency Services has established emergency management priorities, goals, and objectives for California. Operational Area activities under this subgrant must be tied to these priorities, goals, and objectives. The goals address five main categories:

1. Partnership and Leadership
2. Planning and Operations
3. Infrastructure and Communication
4. Education, Training, and Exercises
5. Funding and Resources

The FY08 EMPG requires a dollar-for-dollar match. This can be cash or in-kind.

## **DISCUSSION**

California has been allocated \$23,054,978 for FY2008-2009 EMPG, and will subgrant \$9,100,000 to County Operational Areas, retaining the remainder for state-level activities. Out of that \$9,100,00, the Ventura County Operational Area will receive \$177,757. As the Operational Area lead agency, the Ventura County Sheriff's Office of Emergency Services (OES) will retain about half that amount, with the remainder to be divided by 11 (10 cities and the unincorporated areas) on a per capita basis. Moorpark is entitled to receive a total of \$9,280.88. Staff proposes to claim the entire amount available to the City.

The City must adopt a resolution (Attachment "A"); a state resolution form (Attachment "B"); and an Application for Assistance (Attachment "C") to receive the money, which is paid on a reimbursement basis. The City's funding request must be consistent with the state's goals and objectives for the funds. Staff proposes using portions of the EMPG funds to offset the City's General Fund expenditures for its Emergency Management program in the following areas:

1. Hazard Mitigation Plan Update
2. Emergency Operations Center (EOC) and National Incident Management System (NIMS) Staff Training
3. Implementation of Emergency Notifications Override on MPTV 10 Preparedness

The EMPG grant may be used to help pay for eligible expenses listed above and can include staff training, equipment, and supplies.

## **FISCAL IMPACT**

If approved, City revenue would increase by \$9,280.88. These funds will offset previously

approved General Fund expenditures for its Emergency Management program.

**STAFF RECOMMENDATION**                      **(ROLL CALL VOTE)**

Approve the grant funding request and adopt Resolution No. 2008-\_\_\_\_\_.

- |                |                                 |
|----------------|---------------------------------|
| Attachment "A" | EMPG Resolution                 |
| Attachment "B" | State OES Resolution Form       |
| Attachment "C" | EMPG Application For Assistance |

Attachment "A"

RESOLUTION NO. 2008-\_\_\_\_\_

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MOORPARK, CALIFORNIA, AUTHORIZING SUBMITTAL OF AN EMERGENCY MANAGEMENT PERFORMANCE GRANT, AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AGREEMENTS, CONTRACTS, AND REQUESTS FOR PAYMENT, AND AMENDING THE FY 2008-2009 BUDGET TO REFLECT THE GRANT REVENUE

WHEREAS, the Moorpark City Council recognizes that it is in the public interest to implement programs to support homeland security, emergency preparedness, and disaster response; and

WHEREAS, the United States Congress has provided Emergency Management Performance Grant (EMPG) funds that may be used for necessary and essential expenses involved in the development, maintenance, and improvement of state and local emergency management programs; and

WHEREAS, the state of California has been allocated federal EMPG funds and subgranted certain EMPG funds to designated county Operational Areas; and

WHEREAS, the County of Ventura Sheriff's Office of Emergency Services, as lead agency for the Ventura County Operational Area, has designated EMPG funds that are available to the City of Moorpark.

WHEREAS, on July 2, 2008, the City Council adopted the budget for Fiscal Year 2008/2009; and

WHEREAS, a budget amendment is required to appropriate the grant revenue.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MOORPARK DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of Moorpark authorizes the submittal of an Emergency Management Performance Grant (EMPG) in accordance with grant guidelines established by the Governor's Office of Emergency Services; and

SECTION 2. The City Manager; Assistant City Manager; Senior Management Analyst coordinating Emergency Management Services; or a designee named by the

City Manager, is hereby authorized and empowered to execute in the name of the City of Moorpark any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the state of California, including all necessary applications, contracts, payment requests, agreements and amendments for the purposes of securing grant funds and to implement and carry out the purposes specified in the grant application.

SECTION 3. The Fiscal Year 2008-2009 budget is amended to reflect the grant revenue as shown in "Exhibit 1".

SECTION 4. The City Clerk shall certify to the adoption of the resolution and shall cause a certified resolution to be filed in the book of original Resolutions.

PASSED AND ADOPTED this 17<sup>th</sup> day of September, 2008.

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Patrick Hunter, Mayor

ATTEST:

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Deborah S. Traffenstedt, City Clerk

Attachment: Exhibit 1

EXHIBIT 1

BUDGET AMENDMENT FOR  
EMERGENCY MANAGEMENT PERFORMANCE GRANT (EMPG)  
FY 2008-2009

FUND ALLOCATION TO:

Fund	Account Number	Amount
General Fund	1000-5500	\$ 9,280.88
		\$ -
Total		\$ 9,280.88

DISTRIBUTION OF REVENUE ACCOUNTS:

Account Number	Current Budget	Revision	Amended Budget
1000-3617	\$ 0.00	\$ 9,280.88	\$ 9,280.88
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
	\$ -		\$ -
Total	\$ 0.00	\$ 9,280.88	\$ 9,280.88

Approved as to Form:     *JL*

Attachment "B"

**Governing Body Resolution**

BE IT RESOLVED BY THE City Council  
(Governing Body)

OF THE City of Moorpark THAT  
(Name of Applicant)

the City Manager OR  
(Name or Title of Authorized Agent)

the Assistant City Manager OR  
(Name or Title of Authorized Agent)

the Senior Management Analyst coordinating Emergency Management Services ,  
(Name or Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the named applicant, a public entity established under the laws of the State of California, any actions necessary for the purpose of obtaining federal financial assistance provided by the federal Department of Homeland Security and subgranted through the State of California.

Passed and approved this 17<sup>th</sup> day of September , 2008

**Certification**

I, \_\_\_\_\_, duly appointed and  
(Name)

\_\_\_\_\_ of the \_\_\_\_\_  
(Title) (Governing Body)

do hereby certify that the above is a true and correct copy of a resolution passed and approved by

the \_\_\_\_\_ of the City of Moorpark on the  
(Governing body) (Name of Applicant)

\_\_\_\_\_ day of \_\_\_\_\_ , 20\_\_\_\_\_

\_\_\_\_\_  
(Official Position)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

FY08 Emergency Management Performance Grant  
Application for Assistance

Applicant: , City of Moorpark  
(City)

799 Moorpark Avenue  
Authorized Agent Mailing Address  
Moorpark, CA 93021  
City, State, Zip Code

Contact Information:  
John Brand, Senior Management Analyst  
Name/Title  
805/517-6248  
Area Code/Office Telephone Number  
jbrand@ci.moorpark.ca.us  
E-Mail Address

Amount Requested per Budget Worksheet \$ 9,280.88

**Application Checklist** – The following items must be included with this subgrant application package:

- ✓ Application for Assistance
- ✓ Program Narrative
- ✓ Budget Worksheet
- ✓ Governing Body Resolution
- ✓ Grant Assurances

**Certification and Signature of Authorized Agent**

*I hereby certify I am vested with the authority, and have the approval of the City of Moorpark, to enter into this subgrant award agreement; and all funds received pursuant to this agreement will be spent exclusively on the purposes specified. The grant recipient signifies acceptance of this grant award and agrees to administer the subgrant in accordance with the laws, regulations, guidance documents that apply to this grant program; the State OES Recipient Subgrant Guide for Local Governments; and the State OES audit requirements.*

John Brand  
Signature of Authorized Agent  
Senior Management Analyst  
Title

John Brand  
Printed Name  
August 28, 2008  
Date

**For VCSD OES USE ONLY**

Application Reviewed/Subgrant Award Approved: \_\_\_\_\_  
Signature Date

Subgrant Performance Period: October 1, 2007 to March 31, 2009  
OES ID # 111 -00000 Catalog of Federal Domestic Assistance #97.042 Award # 2008-EM-E8-0009

## PROGRAM NARRATIVE

**Overview:**

The City of Moorpark continues its commitment to emergency preparedness and disaster response with equipment, training, and community outreach. The City requests EMPG funds to support City Local Hazard Mitigation Plan, staff training including CPR, AED operation, first aid, and an EOC tabletop exercise and response drill. Additionally, EMPG funds may be used for public outreach as the city implements an emergency notification system for its government access channel that can be activated offsite by authorized staff. The City is anticipating a Homeland Security Emergency Management Performance Grant for \$9,280 in FY 2008-2009 to support some of these expenditures

<b>GOAL/ OBJECTIVE</b>	<b>ACTIVITY</b>	<b>MILESTONES</b>
B – 1, 3	Update Local Hazard Mitigation Plan	August 2008 – Authorize RFP September 2008 – Award Agreement, Kickoff project December – Review draft Update January 2009 – Final Plan Adoption by City Council
B – 1 D – 1,2,3	EOC and NIMS Training	October – EOC tabletop
B – 1, 2	Implement Emergency Notification override of MPTV 10 City TV channel, including off-site activation	September – Develop Emergency message slides October – Test launch system

## BUDGET WORKSHEET

Double click on the chart below to open it as an Excel spreadsheet

Personnel Services	\$ -
Operating Expenses	\$ 9,280.88
Equipment	\$ -
Pass thru to locals	\$ -
TOTAL	\$ 9,280.88

**FY08 Emergency Management Performance Grant  
Assurances, Certifications, Terms, and Conditions**

**ASSURANCES**

The applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including OMB Circulars A-87, A-102, A-133; Executive Order 12372 (intergovernmental review of federal programs); and 28 C.F.R. pt. 66 (administrative requirements for grants and cooperative agreements). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
3. It will give the awarding agency, the General Accounting Office, or the State of California, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance, and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63.
5. It will assist the awarding agency (if necessary) in assuring compliance with section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), the Archeological and Historical Preservation Act of 1974 (16 U.S.C. § 469 a-1 et seq.), and the National Environmental Policy Act of 1969 (42 U.S.C. § 4321).
6. It will comply (and will require any subgrantees or contractors to comply) with any applicable statutorily-imposed nondiscrimination requirements, which may include the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. § 3789d); the Victims of Crime Act (42 U.S.C. § 10604(e)); The Juvenile Justice and Delinquency Prevention Act of 2002 (42 U.S.C. § 5672(b)); the Civil Rights Act of 1964, as amended (42 U.S.C. § 2000d); the Rehabilitation Act of 1973 (29 U.S.C. § 794); the Americans with Disabilities Act of 1990 (42 U.S.C. § 12131-34); the Education Amendments of 1972 (20 U.S.C. §§1681, 1683, 1685-86); and the Age Discrimination Act of 1975 (42 U.S.C. §§ 6101-07); see Ex. Order 13279 (equal protection of the laws for faith-based and community organizations).

7. It will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C. § 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs;
8. It will comply with requirements of 5 U.S.C. §§ 1501-08 and §§ 7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.
9. It will initiate and complete the work within the approved performance period after receipt of approval of the County of Ventura.
10. It will comply with Standardized Emergency Management (SEMS) requirements as stated in the California Emergency Services Act, Government Code, Chapter 7 of Division 1 of Title 2, Section 8607.1(e) and CCR Title 19, Sections 2445, 2446, 2447, and 2448.
11. It has complied with Homeland Security Presidential Directive #5, dated February 2003 which directed the establishment of a nationwide incident management system for all hazards, which is the National Incident Management System, or NIMS, and will continue to comply each year. Current compliance includes integration of NIMS into training, preparedness, and emergency plans.
12. It has requested through the County of Ventura, federal financial assistance to be used to perform eligible work approved in the applicant's application for federal assistance. It will after the receipt of federal financial assistance, through the County of Ventura, agree to the following:
  - a. To return to the State of California or the County of Ventura, as applicable, such part of the funds so reimbursed pursuant to the above numbered application, which are excess to the approved actual expenditures.
  - b. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California or the County of Ventura, as applicable.
13. In general, grantees are not required to comport with the restrictions of the Buy American Act (41 U.S.C. 10a). However, grants authorized under the Stafford Act, including the EMPG program, must follow these standards. The Buy American Act requires that all materials purchased be produced in the United States, unless such materials are not available, or such a purchase would not be in the public interest.

## **CERTIFICATIONS**

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Non-procurement) and Government-

wide Requirements for Drug- Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the County of Ventura determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING: As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over \$100,000, as defined at 28 CFR Part 69, the applicant certifies that:
  - a. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;
  - b. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure of Lobbying Activities," in accordance with its instructions found at [www.whitehouse.gov/omb/grants](http://www.whitehouse.gov/omb/grants).
  - c. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.
2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT): As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510.
  - a. The applicant certifies that it and its principals:
    - i. Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;
    - ii. Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

- iii. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (a)(ii) of this certification; and
  - iv. Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default; and
- b. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.
3. **CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS; AND DRUG FREE WORKPLACE REQUIREMENT:** This certification, which is a required component of the on-line application, commits the applicant to compliance with the certification requirements under 28 CFR part 67, *Government-wide Debarment and Suspension (Non-procurement)*; 28 CFR part 69, *New Restrictions on Lobbying*; and 28 CFR part 83 *Government-wide Requirements for Drug-Free Workplace (Grants)*. All of these can be referenced at:
- [http://www.access.gpo.gov/nara/cfr/waisidx\\_04/28cfrv2\\_04.html](http://www.access.gpo.gov/nara/cfr/waisidx_04/28cfrv2_04.html).
4. **SWEATFREE CODE OF CONDUCT:**
- a. All applicants contracting for the procurement or laundering of apparel, garments or corresponding accessories, or the procurement of equipment, materials, or supplies, other than procurement related to a public works contract, declare under penalty of perjury that no apparel, garments or corresponding accessories, equipment, materials, or supplies furnished to the state pursuant to the subgrant have been laundered or produced in whole or in part by sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor, or with the benefit of sweatshop labor, forced labor, convict labor, indentured labor under penal sanction, abusive forms of child labor or exploitation of children in sweatshop labor. The applicant further declares under penalty of perjury that they adhere to the Sweatfree Code of Conduct as set forth on the California Department of Industrial Relations website located at [www.dir.ca.gov](http://www.dir.ca.gov), and Public Contract Code Section 6108.
  - b. The applicant agrees to cooperate fully in providing reasonable access to the applicant's records, documents, agents or employees, or premises if reasonably required by authorized officials of the contracting agency, the Department of Industrial Relations, or the Department of Justice to determine the contractor's compliance with the requirements under paragraph (a).
5. **DOMESTIC PARTNERS:** For subgrants executed or amended after July 1, 2004, the applicant may elect to offer domestic partner benefits to the applicant's employees in accordance with Public Contract Code section 10295.3. However, the applicant cannot require an employee to cover the costs of providing any benefits which have otherwise been provided to all employees regardless of marital or domestic partner status.

## **TERMS AND CONDITIONS**

The following laws apply to persons or entities doing business with the State of California.

1. **CONFLICT OF INTEREST**: Applicant needs to be aware of the following provisions regarding current or former state employees. If subgrantee has any questions on the status of any person rendering services or involved with the Agreement, the awarding agency must be contacted immediately for clarification.

### *Current State Employees (Public Contract Code §10410):*

- a. No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- b. No officer or employee shall contract on his or her own behalf as an independent contractor with any state agency to provide goods or services.

### *Former State Employees (Public Contract Code §10411):*

1. For the two-year period from the date he or she left state employment, no former state officer or employee may enter into a contract in which he or she engaged in any of the negotiations, transactions, planning, arrangements or any part of the decision-making process relevant to the contract while employed in any capacity by any state agency.
2. For the twelve-month period from the date he or she left state employment, no former state officer or employee may enter into a contract with any state agency if he or she was employed by that state agency in a policy-making position in the same general subject area as the proposed contract within the 12-month period prior to his or her leaving state service.

If applicant violates any provisions of above paragraphs, such action by applicant shall render this Agreement void. (Pub. Contract Code §10420)

Members of boards and commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem. (Pub. Contract Code §10430 (e))

2. **LABOR CODE/WORKERS' COMPENSATION**: Applicant needs to be aware of the provisions which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions, and applicant affirms to comply with such provisions before commencing the performance of the work of this Agreement. (Labor Code Section 3700)
3. **AMERICANS WITH DISABILITIES ACT**: Applicant assures the State that it complies with the Americans with Disabilities Act (ADA) of 1990, which prohibits discrimination on

the basis of disability, as well as all applicable regulations and guidelines issued pursuant to the ADA. (42 U.S.C. 12101 et seq.)

4. APPLICANT NAME CHANGE: An amendment is required to change the applicant's name as listed on this Agreement. Upon receipt of legal documentation of the name change the County will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.
5. RESOLUTION: A county, city, district, or other local public body must provide the State with a copy of a resolution, order, motion, or ordinance of the local governing body which by law has authority to enter into an agreement, authorizing execution of the agreement.
6. AIR OR WATER POLLUTION VIOLATION: Under the State laws, the applicant shall not be:
  - a. in violation of any order or resolution not subject to review promulgated by the State Air Resources Board or an air pollution control district;
  - b. subject to cease and desist order not subject to review issued pursuant to Section 13301 of the Water Code for violation of waste discharge requirements or discharge prohibitions; or
  - c. finally determined to be in violation of provisions of federal law relating to air or water pollution.

Failure to comply with these requirements may result in suspension of payments under the Agreement or termination of the Agreement or both and applicant may be ineligible for award of any future State agreements if the department determines that any of the following has occurred: the applicant has made false certification, or violated the certification by failing to carry out the requirements as noted above. (Gov. Code §8350 et seq.)

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY that I am duly authorized to legally bind the prospective jurisdiction to the assurances and certifications listed above.

*Jurisdiction (Printed)*

City of Moorpark

*By (Authorized Signature)*

*John Brand*

*Printed Name and Title of Person Signing*

John Brand, Senior Management Analyst

*Date Executed*

August 28, 2008
