



# Memorandum

**TO:** HONORABLE MAYOR AND  
CITY COUNCIL

**FROM:** Nadine N. Nader

**SUBJECT:** SEE BELOW

**DATE:** October 12, 2007

Approved

Date

10/15/07

**SUBJECT: PROPOSED GRANTS POLICY AND A PROPOSED EMERGENCY GRANTS POLICY AND PROCEDURE [Neighborhood Services and Education Committee referral 10/11/07 – Item (d)]**

On October 11, 2007 staff presented a report on the Proposed Grants Policy and a Proposed Emergency Grants Policy and Procedure to the Neighborhood Services and Education Committee.

Councilmember Chu motioned to accept the staff report, Councilmember Chirco seconded the motion. Attached is the report that was presented to the NS&E Committee.

NADINE N. NADER  
Agenda Services Manager





# Memorandum

**TO:** NEIGHBORHOOD SERVICES  
& EDUCATION COMMITTEE

**FROM:** Mark Linder

**SUBJECT:** GRANT POLICIES

**DATE:** September 21, 2007

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**COUNCIL DISTRICT:** City-Wide

## RECOMMENDATION

Accept this report and forward the following recommendations to the City Council for action:

- (a) Adoption of a resolution approving the policy on Grants to Outside Entities (included as Attachment A).
- (b) Adoption of a resolution approving the policy on Emergency Financial Assistance to Non-Profit Organizations (included as Attachments B and C).
- (c) Direct staff to incorporate the following requirement related to web posting of financial information into the City's standard terms and conditions for grant agreements and operating subsidy agreements:
  - (1) For organizations receiving cumulative City grant or operating subsidy funding greater than \$200,000 in a fiscal year, the organization shall post their most recent yearly audited financial statement on their organization's web site and not later than 30 days after receipt of the audited financial statement.

## OUTCOME

- (a) Approval of the policy on Grants to Outside Entities will memorialize the current practice of the City to provide grant funding to a variety of non-profit and community based organizations providing services to the San José community.
- (b) Approval of the policy on Emergency Financial Assistance to Non-Profit Organizations will establish the criteria for eligibility of non-profit organizations to submit requests for emergency assistance and will establish the procedure to be followed in the submittal and evaluation of applications.
- (c) Approval of the direction to incorporate the requirement for web posting of non-profit organization financial statements will enable staff to begin enforcing the requirement with all new grant agreements and operating subsidy agreements and will provide greater transparency of organizations receiving significant City grant or operating subsidy funding.

## **BACKGROUND**

The City Council, over the last few months, has discussed issues related to the City providing emergency funding to non-profit organizations. During those discussions, it has been noted that the City does not have a policy that addresses these issues and staff has been requested to investigate and develop a policy for City Council consideration. Also, during those discussions, recommendations have been made to require non-profit organizations that receive City funding to post their financial information on their websites.

## **ANALYSIS**

Staff conducted a review of existing Council policies related to funding for non-profit organizations. No overall policy exists; however, there are a few policies related to funding for events. They include the following:

- Council Policy 1-1 Free Use of Convention and Cultural Facilities
- Council Policy 1-2 Assistance to Non-Profit Organizations from San José Participating in Events of National Prominence
- Council Policy 5-2 Festivals, Parades and Celebrations

Staff recommends adoption of both an overall citywide policy in addition to the requested policy on emergency assistance.

### ***A. Proposed Citywide Policy “Grants to Outside Entities”***

The proposed overall citywide policy “Grants to Outside Entities” will accomplish the following objectives:

- Document the current practice of the City to provide non-profit and community based organizations with funding to provide services to the San José community; and
- Provide a uniform and consistent framework within which the City makes grants to non-profit and community based organizations.

The text of the proposed policy is included as Attachment A to this memorandum. The services included in the policy cover a broad spectrum and include the following areas: 1) Basic Human Needs (food, clothing, shelter); 2) Counseling and Support; 3) Access to Healthcare; 4) Enhancing Adult Living Skills; 5) Developing Children and Youth; 6) Assisting Seniors and Disabled (transportation, recreation, fitness, etc.); 7) Neighborhood and Community Leadership and Capacity Building; 8) Neighborhood Appearance; 9) Public Safety (gang awareness, prevention, etc.); 10) Environmental Benefit; 11) Arts, Culture, and Sports (events, organizations, etc.); and 12) Economic Development. In Fiscal Year 06-07, the City granted approximately \$48.8 million through 800+ grant agreements in the service areas listed above.

***B. Proposed Citywide Policy “Emergency Financial Assistance to Non-Profit Organizations”***

In the last few years, several non-profit organizations that have experienced difficult financial conditions have approached the City with requests for additional funding. City staff has analyzed these situations and City Council has been requested to act on recommendations without a specific policy or standard procedure in place as reference. The proposed policy “Emergency Financial Assistance to Non-Profit Organizations” will establish criteria for non-profit eligibility for consideration and procedures and requirements for the application and evaluation process. The text of the proposed policy including the accompanying application form is included as Attachments B and C to this memorandum. A non-profit would be eligible to submit an application if it meets the following criteria:

- 1) Has a current grant agreement or contract for services with the City;
- 2) Has a valid and current status as a non-profit organization;
- 3) Has a financial condition that puts at risk the organization’s ability to continue providing services as required by the agreement or contract;
- 4) Has been working with, and continue to work with City staff to resolve the difficult financial condition;
- 5) Has a credible recovery plan and credible business plan for stabilization, as determined by City staff, that addresses the root causes of the difficult financial condition; and
- 6) Has not received emergency financial assistance from the City within the three years prior to the date of application.

The proposed policy establishes the procedure to be followed by the organization submitting the application including an application form and a checklist of required supporting documentation, including audited financial statements. In addition, the policy covers a list of considerations that City staff would evaluate in the review and analysis of the application. The proposed policy incorporating the aforementioned procedures will provide a consistent approach to consideration of requests for emergency financial assistance.

On August 27, 2007, the Community and Economic Development Committee approved staff and Arts Commission recommendations on guiding principles for use of the Arts Stabilization Fund. This fund was established in October, 2006 to deal with financial crises among arts organizations and currently has approximately \$1 million of unallocated balance available to arts organizations as loans or lines of credit. It is anticipated that the City Council will take action on the guiding principles on September 18, 2007. If the proposed emergency assistance policy presented in this memorandum is approved, staff will work to ensure consistency in approach and appropriate application of the two policies.

It is important to note, with the exception of the Arts Stabilization Fund mentioned above, there is no dedicated source of funding for addressing the emergency financial assistance needs of non-profit organizations. Any recommendation to provide financial assistance would need to identify a funding source (e.g. contingency fund, etc.) with resulting impacts as applicable.

### ***C. Proposed Requirement for Web Posting of Financial Information***

City staff reviewed different alternatives regarding web posting of financial information by non-profit organizations. Staff recommends that the posting requirement apply only to organizations with cumulative funding greater than \$200,000 in a fiscal year. This threshold aligns with the Sunshine Reform Task Force recommendation that identifies grant evaluation panels as ancillary bodies when their authority to recommend grant awards exceeds \$200,000. Staff also recommends that the audited annual financial information be posted as opposed to more frequent statements that would not have been reviewed by a third party. It was noted that some organizations would have uneven monthly revenue and expenditures due to the nature of their work which could lead to incorrect assumptions of their fiscal state. It should be noted that the web posting requirement is intended to provide greater accessibility for the public; city staff typically have financial information in their grant management files that can be shared with City Council upon request. The requirement for web posting of financials would need to be incorporated into the grant agreement language and would be effective with the next cycle of grant agreements in FY 08-09, although staff will investigate the feasibility of including the requirement for grant agreements still in process.

Staff also recommends including the financial information posting requirement in the agreements for non-profit organizations receiving subsidies to operate City facilities. This will provide the intended broader access by the public to these organizations' financial information.

### **EVALUATION AND FOLLOW-UP**

If the recommendations are approved, staff will incorporate the requirements into their grant management activities. The financial web posting requirements will be incorporated into future agreements. No additional follow up action with the Council is expected at this time.

### **POLICY ALTERNATIVES**

***Alternative #1: An alternative to an overall City policy on grants (Grants to Outside Entities) would be to continue without an overall City policy.***

**Pros:** The grant programs would continue to follow their individual goals and objectives.

**Cons:** The City would remain without an overall policy statement identifying all of the areas for potential grant funding.

**Reason for not recommending:** The City allocates significant resources annually to the grant programs and it is appropriate for the City Council to memorialize this in a Council policy.

***Alternative #2: An alternative to the policy "Emergency Financial Assistance to Non-Profit Organizations" would be to continue without a specific policy statement.***

**Pros:** The City could still continue to consider requests on an ad-hoc basis.

**Cons:** The criteria and procedure for application and evaluation would not be as directed by Council policy.

**Reason for not recommending:** The number of requests for emergency assistance over the last few years warrants adoption of a City Council policy.

**Alternative #3: An alternative to the City requiring web posting of financial information on the organization's website is to utilize posted information that is available through other avenues, such as GuideStar.**

**Pros:** Non-profit organizations would not be required to perform any additional work to post their information.

**Cons:** The financial information would not be as easily obtained by the general public.

**Reason for not recommending:** The additional staff time and effort required of the non-profit organizations to post on their websites is not great enough to outweigh the benefit of easier access for the public.

### PUBLIC OUTREACH/INTEREST

- Criterion 1:** Requires Council action on the use of public funds equal to \$1 million or greater. **(Required: Website Posting)**
- Criterion 2:** Adoption of a new or revised policy that may have implications for public health, safety, quality of life, or financial/economic vitality of the City. **(Required: E-mail and Website Posting)**
- Criterion 3:** Consideration of proposed changes to service delivery, programs, staffing that may have impacts to community services and have been identified by staff, Council or a Community group that requires special outreach. **(Required: E-mail, Website Posting, Community Meetings, Notice in appropriate newspapers)**

The actions meet criterion 2. E-mail notices of the proposed actions have been distributed to various non-profit groups and representative organizations. This memorandum will be posted on the City's Internet website for the October 11, 2007 Neighborhood Services & Education Committee agenda. Input on the proposed policies was received from the Executive Director of the Silicon Valley Council of Nonprofits and the President/CEO of the United Way.

### COORDINATION

This memo has been coordinated with the various representatives on the Grants Management Team/Advisory Committee. This group includes representatives from the Finance, Housing, and Parks, Recreation and Neighborhood Services Departments, the City Attorney's Office, City Clerk's Office and the City Manager's Office, and the Office of the City Auditor.

**COST SUMMARY/IMPLICATIONS**

Potentially significant, but unknown, costs will be incurred if the adoption of a policy for emergency financial assistance results in additional organizations coming to the City for relief from their difficult financial conditions. The additional costs will be incurred in staff time to meet with potential applicants, review application materials, analyze financial documents, prepare condition assessments, and develop recommended actions. Additional costs may also be incurred for consultants necessary to provide additional expertise and outside opinions.

  
MARK LINDER  
Deputy City Manager

For questions please contact MARK LINDER, DEPUTY CITY MANAGER, at 535-8180.

Attachment A

## COUNCIL POLICY

TITLE GRANTS TO OUTSIDE ENTITIES	PAGE 1 OF 3	POLICY NUMBER
	EFFECTIVE DATE	REVISED DATE
APPROVED BY		

### BACKGROUND

The City provides grants regularly (typically yearly) to a variety of organizations to support the delivery of community services, health and human services, housing programs, arts and cultural activities, economic development, environmental programs, and other areas.

A grant is defined as an agreement between the City and an outside entity wherein the City provides funding in exchange for the outside entity's performance of a service (or services) or completion of a particular scope of work that will result in a benefit to the community. The benefit will support the City's mission by sustaining or enhancing a safe, livable and vibrant community. For all grant agreements, excepting very rare circumstances, the outside entity will be a non-profit, community-based organization, school district, or another governmental agency.

The majority of grants are awarded through competitive proposal processes that consider both the cost and quality of services to be provided. The City has numerous existing grant programs. Some examples are the Community Development Block Grant (CDBG), Healthy Neighborhood Venture Fund (HNVF), San José BEST (Bringing Everyone's Strengths Together), Arts Operating Grants, and Arts Project and Program Grants.

### PURPOSE

To establish the policy of the City concerning granting of money to outside entities providing benefit to the residents of San José.

### POLICY

It is the policy of the City of San José that funding is provided to outside entities in order to accomplish one or more of the following objectives and priorities:

- Support the overall City policy objectives;
- Build relationships between the public sector and community;

TITLE	PAGE	POLICY NUMBER
GRANTS TO OUTSIDE ENTITIES	2 OF 3	

- Provide quality services that are complementary or in addition to services provided by City staff;
- Deliver services funded, in whole or in part, through grant funding from State, federal, or other sources (pass-through grants);
- Foster and leverage support from volunteers and active communities;
- Address emerging needs and improve programs to meet existing needs.

Subject to the availability of funding, the City Council hereby intends to support grants for organizations providing services in the service areas listed below for the purpose of meeting unmet needs:

- 1) Basic Human Needs For Lower Income Individuals or Households
  - Shelter, both temporary and transitional
  - Affordable Housing and Housing Assistance
  - Food Meeting Basic Nutritional Needs
  - Clothing To Meet Basic Needs for Clothing
  - Dependent Care for Children, Elderly, Infirm and Disabled
- 2) Counseling & Support
  - Violence (Domestic Abuse and Gangs)
  - Substance Abuse (Alcohol and Drugs)
  - Immigration (Status, Language, Education and Access)
  - Grief (Trauma and Bereavement)
- 3) Access to Healthcare For Uninsured or Lower Income Individuals/Households
  - Physical (Primary Care and Health Insurance)
  - Mental (Adult and Family Mental Health)
- 4) Enhancing Adult Living Skills
  - Basic and Intermediate English
  - Employment (Obtaining, Holding and Advancement)
  - Financial Management (Budgeting, Saving for Home, Education and Retirement)
  - Effective Parenting (Preschool, School Age, Preparing for Adulthood)
  - Nutrition and Fitness (Diet, Exercise, Disease Prevention, Recreation)
- 5) Developing Children and Youth
  - Early Childhood and Preschool (School Readiness, Language and Social Skills)
  - Physical and Emotional Well Being
  - Responsibility and Citizenship
  - Career Aspirations and Support

TITLE	PAGE	POLICY NUMBER
GRANTS TO OUTSIDE ENTITIES	3 OF 3	

- 6) Assisting Seniors and Disabled
  - Transportation
  - Care Planning (Information and Referral)
  - Recreation, Nutrition and Fitness
  
- 7) Neighborhood & Community Leadership and Capacity Building
  - Non-profit Organizations (Resident Representation in Governance, Planning & Delivery of Services, Capacity for Measuring Outcomes)
  - Neighborhoods and Communities (Neighborhood Services Projects and Volunteer Opportunities)
  
- 8) Neighborhood Appearance
  - Anti-Litter
  - Anti-Graffiti
  - Neighborhood Beautification
  
- 9) Public Safety
  - Community and Neighborhood Watch
  - Gang Awareness, Prevention, and Intervention
  
- 10) Environmental Benefit
  - Environmental Awareness, Outreach and Education
  - Recycling Programs and Sustainable Activities
  - Watershed/Water Quality
  - Air Quality and Urban Forest
  
- 11) Arts, Culture, and Sports
  - Arts, Culture, Sports, Entertainment and Community Events
  - Arts, Culture, and Sports Activities and Organizations
  - Facilities Support
  
- 12) Economic Development
  - Local and Regional Economic Development Activities and Organizations
  - Chambers of Commerce
  - Workforce Training and Career Services
  - Neighborhood Business Districts

Attachment B

## COUNCIL POLICY

TITLE EMERGENCY FINANCIAL ASSISTANCE TO NON-PROFIT ORGANIZATIONS	PAGE 1 OF 3	POLICY NUMBER
	EFFECTIVE DATE	REVISED DATE
APPROVED BY		

### BACKGROUND

Non-profit organizations provide a valuable partnership with the City to provide a variety of programs and services to the San José community. On occasion, a non-profit organization that provides these services may find itself approaching the City due to a difficult financial condition where an infusion of funding will sustain the organization's operation until the difficult condition can be reversed or remedied.

### PURPOSE

To establish the policy of the City concerning providing emergency financial assistance to existing partner non-profit organizations that provide benefit to the residents of San José where the non-profit organization has demonstrated a compelling need for supplemental funding.

### POLICY

It is the policy of the City of San José that only organizations meeting all of the following criteria are eligible for consideration for emergency financial assistance. The organization must:

- 1) Have a current grant agreement or contract for services with the City to provide one or more services as identified in City Council Policy (Grants to Outside Entities);
- 2) Have a valid and current status as a non-profit organization (501(c)(3)) and are in good standing with all applicable State and federal agencies;
- 3) Have a financial condition that puts at risk the organization's ability to continue providing services as required by the agreement or contract;
- 4) Have been working with, and continue to work with City staff to develop a plan of action to remedy the difficult financial condition;
- 5) Have a credible recovery plan and credible business plan for stabilization, as determined by City staff, that addresses the root causes of the difficult financial condition; and
- 6) Have not received emergency financial assistance from the City within the three years prior to the date of application.

TITLE	PAGE	POLICY NUMBER
EMERGENCY FINANCIAL ASSISTANCE TO NON-PROFIT ORGANIZATIONS	2 OF 3	

The City reserves the right to not consider a request for emergency financial assistance for any reason, even if the applicant organization meets all of the criteria for eligibility described above. Reasons that the City would not consider a request include, but are not limited to, a plan to deliver the service with City staff, a plan to discontinue the service(s) due to declining priority, or other reasons.

The City does not have a dedicated funding source for providing emergency financial assistance. Therefore, any City consideration of a request and possible subsequent recommendation for award of funding (depending on the results of an analysis) for emergency financial assistance is contingent upon City Council identifying and appropriating funds. Nothing herein obligates the City Council to appropriate such funding.

#### PROCEDURE

The following procedural steps shall be followed:

- 1) The non-profit organization shall complete a Non-Profit Organization Application for Financial Assistance (NPOAFA) including all required attachments;
- 2) The non-profit organization shall submit the NPOAFA to the City Manager;
- 3) The City Manager shall notify the Mayor, City Council and appropriate policy body (commission, task force, etc.) that a NPOAFA has been received and the organization's name and purpose;
- 4) The City Manager shall assign staff and appropriate resources to review the application;
- 5) The City Manager shall make a recommendation to the Mayor and City Council regarding possible action(s) on the NPOAFA based on the staff review.

The City Manager and staff shall evaluate the following considerations prior to recommending action on an emergency financial assistance request:

- 1) The nature of the difficult financial condition, steps taken to date to resolve the condition, and the ability of the organization and its board of directors to correct or resolve the condition;
- 2) The financial condition of the organization including prior to the onset of the financial difficulty;
- 3) The outcome and recommendations of any audits performed, if available;
- 4) Projected financial condition of the organization with and without the emergency assistance of the City;
- 5) Availability of other (non-City) sources of financial assistance to the organization and the level of commitment from those sources;
- 6) The level of priority of the service(s) that the organization provides and the resulting impacts if the organization were to cease providing the service(s);

TITLE	PAGE	POLICY NUMBER
EMERGENCY FINANCIAL ASSISTANCE TO NON-PROFIT ORGANIZATIONS	3 OF 3	

- 7) Prior history of the organization in meeting the performance objectives on City grant agreements and any relevant correspondence between the organization and the City;
- 8) Responsibility of the organization with respect to operating or maintaining City-owned facilities or equipment;
- 9) The availability of other non-profit organizations to provide the service(s) provided by the applicant organization, if it ceased provided the service(s), and the expected timeline for transition of services;
- 10) The presence of conditions in the organization's structure, the community and/or the local economy that make the long-term viability of the organization realistic;
- 11) The presence of a realistic and viable recovery plan;
- 12) The presence of a plan for regular monitoring of the organization's financial status assuming the City provides the emergency financial assistance; and
- 13) Any other factor deemed by the City Manager to be relevant to the analysis.

The City Manager shall consider the following items concurrent with any recommendation to the Mayor and City Council for emergency financial assistance:

- 1) Type of assistance recommended for award, i.e. grant, loan, line of credit, or other vehicle, including terms;
- 2) Plan for the ongoing monitoring of the program performance and financial condition of the organization; and
- 3) Contingent requirements (payments linked to performance milestones).

#### TIMING OF SUBMISSIONS

Ad-hoc requests for emergency financial assistance may be accepted from organizations at any time throughout the year. If, after evaluation and analysis, the City Manager recommends to the City Council an award of emergency financial assistance, the recommendation shall also be accompanied by a recommendation on the source of funding for the award.

If a consideration of emergency financial assistance is to be incorporated into the regular annual budget cycle, the NPOAFA shall be received by the City Manager sufficiently in advance of the release of the City Manager's Proposed Budget to complete a thorough analysis of the request including the aforementioned considerations. The time required for analysis will vary depending on the complexity of the scenario; however, the minimum time required shall not be less than 30 calendar days.

Attachment C

<b>Non-Profit Organization</b> <b>Application for Emergency Financial Assistance</b>
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Organization's Popular or Program Name:	
Organization's Legal Name (if different):	
Tax Identification Number:	

Principal Business Location: (street address) (city, state, zip)	
Mailing Address (if different):(street address) (city, state, zip)	
Organization's Main Phone Number:	
Organization's Fax Number:	
Organization's Website Address:	

Executive Director Name:	
Executive Director Phone Number:	
Executive Director Email Address:	

Board Chairperson Name:	
Board Chairperson Phone Number:	
Board Chairperson Email Address:	

Chief Financial Officer Name:	
Chief Financial Officer Phone Number:	
Chief Financial Officer Email Address:	

What is your organization's total Operating Budget for the current fiscal year?	
What is the total grant amount(s) from all City sources received by your organization for the current fiscal year?	

What is the requested amount of financial assistance?  (Note: If your organization is recommended for emergency assistance, the type of funding will be at the sole discretion of the City)	
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Applicants shall provide the following required attachments and documentation:

<input checked="" type="checkbox"/>	Attachment No.	Description
<input type="checkbox"/>	Attachment 1	Describe the nature of your financial difficulty and the cause(s). Include supporting documentation as appropriate.
<input type="checkbox"/>	Attachment 2	Describe the organization and board steps taken to date to solve the financial difficulty.
<input type="checkbox"/>	Attachment 3	Identify communications and coordinated efforts with the City to date. Include all communications with City staff and elected representatives (Mayor, Council members, and their respective staffs).
<input type="checkbox"/>	Attachment 4	Identify what alternative sources of funding have or are being sought to help solve the financial difficulty. The City may require written verification of alternate funding sources.
<input type="checkbox"/>	Attachment 5	Identify your organization's plan to recover from the financial difficulty. Include the proposed repayment plan for loan or line of credit.
<input type="checkbox"/>	Attachment 6	Identify your organization's business plan for stabilization of your financial condition.
<input type="checkbox"/>	Attachment 7	Identify the anticipated result(s) if the City chooses not to provide emergency financial assistance.
<input type="checkbox"/>	Attachment 8	Indicate if any collateral is offered to secure the financial assistance.

<input type="checkbox"/>	Attachment 9	Provide audited financial statements for the 2 most recent fiscal years, including Management Letters.
<input type="checkbox"/>	Attachment 10	Provide a copy of documentation indicating tax-exempt status 501(c)(3), Articles of Incorporation, By-Laws, and your most recently submitted Form 990.
<input type="checkbox"/>	Attachment 11	Provide a current listing of the members of the Board of Directors, including information on their terms, board committees, and other board memberships.
<input type="checkbox"/>	Attachment 12	Provide a current organization chart including names and titles.
<input type="checkbox"/>	Attachment 13	Provide a statement indicating if the organization has been debarred or suspended from receiving federal, State or other local agency funding within the last 5 years.
<input type="checkbox"/>	Attachment 14	Provide a listing of upcoming Board meetings including times and locations. Also provide Board minutes and/or resolutions authorizing submission of this application.
<input type="checkbox"/>	Attachment 15	Provide information if the organization, management, or members of the Board of Directors are part of a lawsuit or other legal action related to the organization's business.

Note: The City reserves the right to request additional information if required to adequately evaluate the request for financial assistance.

By our signatures below, we certify:

- The organization has current tax-exempt status 501(c)(3) and is in compliance with all applicable State and federal requirements;
- The by-laws of this organization or a resolution of its governing body authorize us to enter into legal agreements for the organization and to submit this application;
- We have read the City Council policy regarding emergency financial assistance and the information below regarding the Public Records Act;
- To the best of our knowledge and belief, this organization meets the appropriate eligibility requirements for submitting this application; and
- We have reviewed the information in this application and all attachments, and certify that they are true and correct.

Executive Officer's Signature:	
Executive Officer's Printed Name:	
Date:	

Chief Financial Officer's Signature:	
Chief Financial Officer's Printed Name:	
Date:	

President of the Board of Directors' Signature:	
President of the Board of Directors' Printed Name:	
Date:	

Note: Signatures of all three individuals listed above are required.

Note the following with regards to the Public Records Act:

- All information submitted with this application will become public records under the California Public Records Act (Cal. Government Code section 6250 et seq.) and will be subject to disclosure if requested by a member of the public. There are a very limited number of narrow exceptions to this disclosure requirement and the City may disclose the entire application pursuant to a public records act request.
- If you believe that there are portion(s) of your application which are exempt from disclosure under the Public Records Act, we recommend that you mark it as such and state the specific provision in the Public Records Act which provides the exemption as well as the factual basis for claiming the exemption. Do not mark your entire application as "confidential".
- The City is not responsible for withholding information even if an applicant identifies information as confidential. If a request is made for information marked "Confidential", "Trade Secret" or "Proprietary", the City will make reasonable efforts to provide the applicant with reasonable notice of the disclosure request, so that the applicant may seek protection from disclosure by a court of competent jurisdiction.
- Any application which contains language purporting to render all or significant portions of the application "Confidential", "Trade Secret" or "Proprietary", may be disqualified from consideration. In the absence of a court order, the City may disclose applicant's materials to a requesting party without further consideration or notice.