2018 Television Community Service Grant Agreement and Certification of Eligibility

TV CSG Agreement

For inquiries, please send an email to csg@cpb.org.

By this agreement (the Agreement), dated October 1, 2017, by and between the Corporation for Public Broadcasting (CPB) and the Licensee and Grantee named in Section I below (collectively the Grantee), CPB and Grantee, in consideration of the mutual covenants herein and for other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, hereby agree as follows:

I. Licensee/Grantee Information

ID	1735
Grantee Name	WUFT-TV
City	Gainesville
State	FL
Licensee Name	Board of Trustees, University of Florida
Licensee Type	University

II. Grant Offer, Acceptance and Conditions

A. **Grant Offer and Acceptance:** CPB offers and Grantee accepts the grants (Grant(s)) set forth in Section III below, subject to all the terms and conditions herein and subject to Grantee's certification that it complies with requirements described in Sections IV and V below. CPB has calculated and offered the Grants in reliance and contingent upon the accuracy of the following:

1. The representations and warranties made by the Grantee to qualify for and receive the following Grants for fiscal year (FY) 2018:

- **Community Service Grant (CSG);**
- **Universal Service Support Grant (USSG);**
- **Distance Service Grant (DSG); and**
- **Interconnection Grant (IC).**

2. Grantee's FY 2016 audited financial statements, Annual Financial Report (AFR) or Annual Financial Summary Report (FSR).

B. **Conditions:** In addition to the terms and conditions stated herein, this Agreement incorporates by reference and the Grantee must fully comply with the Communications Act of 1934, 47 U.S.C. § 396, et seq. (Communications Act or Act); CPB's Television Community Service Grant General Provisions and Eligibility Criteria (General Provisions), the Financial Reporting Guidelines (Guidelines) and the Application of Principles of Accounting and Financial Reporting Applicable to Public Telecommunications Entities (Principles). These documents are incorporated herein by reference as if fully set forth herein.

C. **Grant Adjustments:** The Grantee acknowledges that the only source of funding for the Grants is the appropriation to CPB by the United States Congress, and that the Grants are, therefore, contingent upon CPB receiving its FY 2018 federal appropriation in the amount of **$441,978,005**. In the event reductions occur in the amount of that appropriation,

by rescission or otherwise, before or after Grant funds are paid to the Grantee, the Grants shall automatically be reduced by a proportional amount. CPB will notify Grantee of the amount of any such reduction, and Grantee agrees to promptly return the amount to CPB. CPB may, at its sole discretion, elect to recover all or part of such funds immediately or by reducing future payments that may be due the Grantee under this or any other CPB grant program. The Grantee hereby agrees to any adjustments to its Grants as determined solely by CPB.

D. **Indemnification by Grantee:** Unless the Grantee is a governmental entity prohibited by applicable state law from providing indemnification, Grantee agrees to indemnify and hold harmless CPB, its directors, officers, agents, and employees, from and against any and all liabilities (including attorneys' fees) arising out of Grantee's use of the Grant(s), and any breach by Grantee of any term of the Agreement, or the General Provisions.

E. **Representations and Warranties:** Grantee represents and warrants:

1. That the information Grantee provided in this Agreement is true and accurate;

2. That Grantee shall promptly notify CPB, at csg@cpb.org, of its failure to comply with any of the requirements set forth in this Agreement and in the General Provisions, and of any changes to or inaccuracies in its Communications Act Compliance, as set forth in Section IV, below;

3. That Grantee shall comply with all of the terms and conditions herein and in the General Provisions; and

4. That all funds Grantee received pursuant to the FY 2016 General Provisions were expended during the period beginning October 1, 2015 and ending September 30, 2017; and, if not, the unexpended funds were returned to CPB.

III. Grant Amounts and Spending Period

A. **Grant Amounts**: Below are the Grants and their amounts awarded by CPB to Grantee for all of Grantee's television stations. Grantee must expend the Grants during the period set forth below.

CSG, USSG, and DSG Spending Period: 10/01/2017 - 09/30/2019
IC Spending Period: 10/01/2017 - 09/30/2018

Grant	CSG	IC	DSG	USSG
Final Amount	**$855,455**	**$16,323**	**$0**	**$54,863**

B. **Grant Payee**: Grantee will receive the Grant payment unless Grantee and CPB agree to an alternate payee in writing.

C. **Grantee's Financial Institution and Address:**

Mail check to:

,
,

IV. Communications Act Compliance

Grantee certifies that it currently meets each of the following criteria as indicated below.

	Yes	No	Question
A.			**Open Meetings**

Meetings of Grantee's board/governing body, board/governing body committees and CAB meetings must be open to the public (47 U.S.C. § 396 (k)(4)). In addition, CPB requires Grantees to give at least seven days' advance notice of meetings, including the time and place.

Does Grantee meet this requirement?

◉ Yes ○ No

If yes, identify which of the following CPB-required methods it uses to provide notice:

- ☑ posting notice on its station website;
- ☐ broadcasting notice on-air between 6 a.m. and 11 p.m., as shown by the station's log;
- ☐ placing notice in the "Legal Notices" section of a local newspaper in general circulation in the station's primary

Yes	No	Question
		coverage area; or
	☐	giving notice through a recorded announcement accessible on the station's phone system.

B. **Closed Meetings**

Grantee must document why any of its board/governing body, board/governing body committees and CAB meetings were closed and make available to the public a written statement of the reasons within a reasonable time after the closed meeting (47 U.S.C. § 396 (k)(4)). CPB also requires that the written statement be made available for public inspection, either at Grantee's central office or posted on its station website, within 10 days after each closed meeting.

Yes	No	Question
◉	○	Does Grantee comply with these requirements?
◉	○	Has Grantee designated a person responsible for documenting the reasons for closing meetings of the board/governing body, its committees, or meetings of the CAB?

If so, please furnish the information requested below even if Grantee posts the documentation on the station website.

Name of Responsible Person	Kinnon Thomas
Title of Responsible Person	Compliance Coordinator
Location of Documentation (Address)	1885 Stadium Road
Location of Documentation (City)	Gainesville
Location of Documentation (State)	Florida

C. **Open Financial Records**

The open financial records provisions of the Act requires Grantees make available to the public their annual financial and audit reports and other financial information they are required to provide to CPB (47 U.S.C. § 396 (k)(5)). CPB also requires that Grantees post the following documents on its station website:

• Grantee's most recent audited financial statement or un-audited financial statement for stations exempt from providing audited financial statements, and
• Grantee's most recent AFR or FSR (whichever is applicable).

Yes	No	Question
◉	○	Does Grantee comply with these requirements?

D. **Community Advisory Board**

Grantees other than those owned by a state, a political or special purpose subdivision of a state or a public agency must have a CAB. The CAB responsibilities include:

• the right to review the station's programming goals;
• the right to review the service provided by the station;
• the right to review significant policy decisions rendered by the station; and
• the obligation to advise the station's governing body on whether the station's programming and other significant policies are meeting the specialized educational and cultural needs of the communities served by the station, and to make recommendations that the CAB deems appropriate to meet such needs (47 U.S.C. § 396 (k)(8)).

Yes	No	Question
○	◉	Is Grantee required by the Communications Act to maintain a CAB?
○	◉	If yes, does the CAB advise the board/governing body of Grantee's station on whether its programming and policies meet the specialized educational and cultural needs of the communities served by the station, and make recommendations that it deems appropriate to meet such needs? If yes, please answer the following questions.

A. The date of the CAB's most recent communication of advice and/or recommendations to the station's board/governing body (example: 00/00/0000):

Yes	No	Question

B. How does the Grantee's CAB communicate its advice and recommendations to the station's board/governing body (such as written reports, CAB presentations to the board/governing body, or through a station executive who attends CAB meetings)?

(500 characters)

E. **CPB Employment Statistical Report**

The Act requires Grantee to certify compliance with equal employment opportunity regulations of the Federal Communications Commission (FCC), and to annually report to CPB the statistical employment data required by the FCC, including the reasons why any job openings were not filled in accordance with FCC regulations (47 U.S.C. § 396(k)(11)). Grantees meet these requirements through the annual Employment Statistical Report to CPB (provided as part of its Station Activity Survey (SAS)).

Does Grantee comply with each of these requirements?

The Act also requires Grantee to make the data in its Employment Statistical Report available for public inspection at:

• its central office; and
• each other location with six or more FTEs (defined in the General Provisions) (47 U.S.C. § 396(k)(11)).

Does Grantee make its Employment Statistical Report available to the public as required? If yes, please provide the following information on the person(s) responsible for making this report available to the public at Grantee's offices.

	Central Office	Additional Location (if applicable)	Additional Location (if applicable)
Name of Responsible Person	Jeff Pole		
Title of Responsible Person	Director of Finance		
Email of Responsible Person	Jpole@jou.ufl.edu		
Responsible Person Address	1885 Stadium Rd		
Responsible Person City	Gainesville		
Responsible Person State	Florida		

F. **Donor Information**

The Act bars stations from renting contributor names, donor names, other personally identifiable information (collectively Personal Information) to or from or exchanging Personal Information with any Federal, State, or local candidate political party, or political committee.

In addition, Grantees are barred, unless required by law, from disclosing Personal Information of contributors or donors to any Nonaffiliated Third Party (these terms are defined in the General Provisions), unless Grantee meets the following Communications Act requirements:

• clearly and conspicuously notifies the contributor or donor that the station may release its Personal Information to Nonaffiliated Third Parties;
• advises contributors or donors before any disclosure, that they have the right not to have their Personal Information disclosed; and
• explains to the contributor or donor how to exercise that non-disclosure option (47 U.S.C. § 396(k)(12)).

Yes	No	Question
○	◉	Does Grantee disclose the Personal Information of contributors or donors to any Nonaffiliated Third Party? If yes, how does the Grantee provide notification to contributors or donors (such as posting on the station's website or advising the contributor or donor using written correspondence or email)?

(500 characters)

V. Selected General Provisions Requirements

Grantee certifies that it currently complies with each of the following requirements in the General Provisions.

	Yes	No	Question
A.			**Website Postings Required**

At a minimum, Grantee must post the following on its station website:

• Station Senior/Executive Management: (Names, titles and contact information);
• Governing Body: Names;
• CAB Members: Names (for stations that maintain a CAB pursuant to the Communications Act); and
• Financial Statement: Most recent audited or unaudited financial statements, if permitted.

Grantee must post the following documents on the station website or make them available at the station's central office for review by the public:
• Diversity Statement and
• Local Content and Service Report.

Yes	No	Question
◉	○	Does Grantee comply with these requirements?

	Yes	No	Question
B.			**Discrete Accounting**

Grantees must comply with the discrete accounting requirement in the General Provisions. Discrete accounting requires Grantees to utilize a unique accounting code that identifies CSG funds – both revenues and expenses – so that CPB and its representatives may track those funds within the Grantee's accounting system.

Yes	No	Question
◉	○	Does Grantee comply with this discrete accounting requirement? If yes, please identify the two codes that Grantee has created to track CSG funds in its financial accounting system.

Code CSG Revenues: 400000

Code CSG Expenses: 700000

VI. Signatures

CORPORATION FOR PUBLIC BROADCASTING
Greg Schnirring, VP, Station Grants and TV Station Initiatives



October 1, 2017

This Agreement must be executed by the licensee official and the head of grantee. The licensee official is the chair of the Licensee's governing board; or a designated senior level representative of the Licensee, who is not a member of the station's management and who has the authority to enter into binding contracts and agreements on behalf of the Licensee. The head of grantee is the highest ranking representative of the station's management responsible for station operations, such as its

president and chief executive officer.

By executing this Agreement the licensee official and head of grantee recognize that by providing false information to obtain any Grant may subject the Grantee to penalties under the Federal False Claims Act, 31 U.S.C. §§3729-3733 and CPB's CSG Non-Compliance Policy.

Randy Wright - (Accepted as Head of Grantee) - 5/15/2018 9:35:51 AM

Stephanie Gray - (Accepted as Licensee Official) - 6/11/2018 4:55:52 PM

Have you reviewed the TV CSG Agreement? (•) **Yes** ( ) **No**