



ERIC GARCETTI
MAYOR

June 16, 2020

Honorable Members of the City Council
c/o City Clerk
Room 395, City Hall

Re: Notification of Request for Authority to Accept FY20 Legislative Pre-Disaster Mitigation (LPDM) Grant Award in the amount of \$406,686.70 from the Federal Emergency Management Agency, California Office of Emergency Services to fund the PIH Health Good Samaritan Hospital Kitchen Seismic Retrofit Project

Dear Honorable Members:

Pursuant to Section 14.6(c) of the Los Angeles Administrative Code, the Mayor's Office of Public Safety is requesting from City Council authority to accept the Federal Emergency Management Agency (FEMA), California Office of Emergency Services' (CalOES) FY 2020 Legislative Pre-Disaster Mitigation Grant Award (FY20 LPDM) for PIH Health Good Samaritan Hospital Kitchen Seismic Retrofit Project. On August 9, 2019, FEMA approved the FY20 LPDM subgrant application and the City of Los Angeles (City) was awarded \$406,687.70 for a grant performance period of 36 months through August 9, 2022 (Attachment 1).

Overview

The LPDM grant is part of FEMA's Hazard Mitigation Assistance (HMA) program, which is intended to reduce the risk to individuals and property from natural hazards while simultaneously reducing reliance on Federal disaster funds to assist them in implementing a sustained pre-disaster natural hazard mitigation program to reduce overall risk to the population and structures from future hazard events.

Federal funds for this grant are awarded by FEMA and pass through CalOES to the City. Although private entities are not eligible to apply directly for the LPDM funding, eligible subgrantees may apply for funding to mitigate a private structure.

FEMA issued procedures for completing a two-step application process on June 14, 2018 whereby the City submitted a Notification of Intent (NOI) to CalOES to determine if the City's proposed activity complied with the LPDM eligibility requirements. CalOES approved the City's NOI on July 9, 2018 and an application was submitted on August 29, 2018. The City received CalOES's Notification of Approval letter dated September 19, 2019 (Attachment 2) in the amount of 406,686.70.

Transmitted herewith is a request to:

- Accept \$406,687.70 in Federal Emergency Management Agency (FEMA) Fiscal Year 2020 Legislative Pre-Disaster Mitigation (FY20 LPDM) grant funds on behalf of PIH Health Good Samaritan Hospital, for a performance period of 36 months through August 9, 2022; and
- Authorize the Mayor's Office of Public Safety to execute a contract, subject to the approval of the City Attorney as to form and legality, for the distribution of the FY20 LPDM grant funds, for a term of up to 36 months, with PIH Health Good Samaritan Hospital.
- Authorize the Mayor's Office of Public Safety to use grant funding to support the management and administration of the PIH Health Good Samaritan Hospital project.

PIH Health Good Samaritan Hospital Non-Structural Retrofit Project

In the event of a major earthquake, hospitals in the City of Los Angeles, including PIH Health Good Samaritan Hospital, will be required to provide additional emergency response services as well as ensure the health and well-being of their existing patients. To address this scenario, the state legislature passed a law that requires California hospitals to maintain their acute care units and emergency rooms in earthquake-proof structures. This law is intended to reduce hospital closures and minimize the disproportionate burden on those hospitals that remain open following a major earthquake. In order to help ensure that the hospital remains fully operational in the event of an earthquake, PIH Health Good Samaritan Hospital seeks to use the FY20 LPDM funding to retrofit the kitchen.

This project will consist of non-structural seismic retrofitting of the mechanical equipment, utilities, and large appliances in the PIH Health Good Samaritan Hospital's new kitchen area located in the basement of the main hospital building (Witmer Building). The project will require the hospital to move its existing, seismically non-compliant kitchen now located in another building on its hospital campus, the Lucas Building, to the basement of the Witmer Building. The project will require non-structural seismic retrofitting to brace, anchor and secure critical equipment to maintain essential services, including food services, for patients and others served by the hospital during and in the aftermath of a major earthquake.

Generally, HMA grants may be used to fund seventy-five percent (75%) of the project, with the remaining funding to come from non-federal sources. PIH Health Good Samaritan Hospital will meet this match requirement by providing funding for the retrofit project in the amount of \$135,562. There is no match obligation for the City of Los Angeles.

It is a priority of the City of Los Angeles to support and encourage seismic retrofitting and mitigation projects for critical infrastructure facilities such as PIH Health Good Samaritan Hospital.

Governing Body Resolution

CalOES requires the submission of the attached Governing Body Resolution as a part of the application package that is due to the California Office of Emergency Services. The Governing Body Resolution authorizes specified City Officials to execute for and on behalf of the City of Los Angeles any actions necessary for the purpose of obtaining federal financial assistance under the FY20 LPDM.

LPDM Management and Administration

FEMA guidelines allow for up to five percent (5%) of the total award to be used in support of the management and administration (M&A) of grant-funded programs. The Mayor's Office is the designated administrator and fiscal agent for LPDM grant administration on behalf of PIH Health Good Samaritan Hospital and will utilize five percent (5%) of the grant award, or \$20,334.33 to support two Mayoral Aides, responsible for administering the grant for the retrofit program funded by the LPDM grant.

RECOMMENDATIONS

It is therefore requested that the City Council:

1. **Authorize** the Mayor, or his designee, to:
 - a. **Accept** on behalf of the City and PIH Health Good Samaritan Hospital, the Fiscal Year 2020 Legislative Pre-Disaster Mitigation (FY20 LPDM) grant in the amount of \$406,687.70 from the California Office of Emergency Services, for a performance period of 36 months to August 9, 2022;
 - b. **Adopt** the attached Governing Body Resolution to designate the City entities that will apply for and manage Federal financial assistance provided by the Federal Emergency Management Agency and sub-granted through the State of California (Attachment 3)

- c. **Submit** to the grantor on behalf of the City requests for drawdown of funds for payment or reimbursements of City and PIH Health Good Samaritan Hospital funds expended for approved grant purposes;
- d. **Execute** contract, subject to the approval of the City Attorney as to form and legality, for a total contract amount of for a term of up to 36 months within the applicable performance period with PIH Health Good Samaritan Hospital; and
- e. **Receive**, deposit into, and disburse from a new FY20 LPDM Grant Fund, the grant funds from the FY20 LPDM grant award.

2. **Authorize** the Controller to:

- a. Transfer appropriations and create new appropriation accounts within the new FY20 LPDM Fund No. XXX for the FY20 LPDM Grant, as follows:

TRANSFER FROM:

<u>Fund/Dept.</u>	<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
XXX/46	46S304	Contractual	\$386,352.37
XXX/46	46S146	Mayor	\$14,471.80
XXX/46	46S299	Reimbursement of General Fund Costs	\$5,862.53
		TOTAL:	\$406,686.70

TRANSFER TO:

<u>Fund/Dept.</u>	<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
XXX/46	46S146	Mayor	\$14,471.80

- b. Transfer appropriations within Fund XXX to the General Fund for reimbursement as follows:

TRANSFER FROM:

<u>Fund/ Dept.</u>	<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
XXX/46	46S146	Mayor	\$14,471.80

TRANSFER TO:

<u>Fund/ Dept.</u>	<u>Account</u>	<u>Account Name</u>	<u>Amount</u>
100/46	001020	Grant Reimbursed	\$14,741.80

Honorable Members of the City Council

June 16, 2020

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3. **Authorize** the Controller to transfer up to \$5,862.53 from Fund No. XXX, Account 46S299 to the General Fund 100, Department 46, Revenue Source Code No. 5346, for reimbursement of grant-funded fringe benefits;
4. **Authorize** the Controller to transfer cash from Fund XXX/46 to reimburse the General Fund, on an as-needed basis, upon presentation of proper documentation from City Departments, subject to the approval of the Mayor's Office of Public Safety; and
5. **Authorize** the Mayor, or designee, to prepare Controller instructions for any technical accounting adjustments, subject to approval of the City Administrative Officer, and authorize the Controller to implement the instructions.

Sincerely,



ERIC GARCETTI

Mayor

EG:lij

Attachments

- 1 Award Letter
- 2 CalOES Notification of Application Approval
- 3 Governing Body Resolution



September 19, 2019

Gabriella Jasso
Director of Grants and Finance
Los Angeles, City of
200 North Spring Street, Room 303
Los Angeles, CA 90012

Subject: **Notification of Subapplication Approval**
Hazard Mitigation Grant Program
FEMA-**4344-DR-CA**, Project #**PJ0424**, FIPS #**037-44000**

Dear Ms. Jasso:

The California Governor's Office of Emergency Services (Cal OES) received notification that the Federal Emergency Management Agency (FEMA) has approved your organization's subaward application in the amount of **\$406,686.70**. A copy of the FEMA award package is enclosed for your records.

In order to receive payment, all subrecipients must have a current (within the last 3 years), valid Governing Body Resolution and updated Grant Assurances on file with our office (sample copies enclosed). These forms may be downloaded in an electronic format at www.caloes.ca.gov following the links: *Cal OES Divisions; Recovery; Disaster Mitigation & Technical Support; 404 Hazard Mitigation Grant Program; HM Post Obligation Documents*. An active DUNS Number registration with the federal System for Award Management (SAM) website is also required for obtaining payment for the duration of this grant subaward. For your convenience, information regarding completing and renewing a SAM registration is included in this package. Please complete the electronic forms as well as the enclosed Supplemental Grant Subaward Information sheet and return them to the address below within 30 days. Payments will be made on a reimbursement basis using the Hazard Mitigation Reimbursement Request Form. A ten percent (10%) retention will be withheld from all reimbursement payments and will be released as part of the subaward closeout process.

Reimbursements can be made only for items listed on the approved subaward application; expenditures for any other work should be separately maintained and are the sole responsibility of the subrecipient. Any funds received in excess of current needs or approved amounts, or those found owed as a result of a final inspection or audit, must be refunded to the State within 30 days of receipt of an invoice from Cal OES.



For further assistance, please contact the Recovery Grants Processing Unit at (916) 845-8110 for payment related questions, or Hazard Mitigation Grants at (916) 845-8150 for program related questions.

Recovery Grants Processing Unit

Enclosures

c: Applicant's File

*The Recovery Grants Processing Unit has a universal Public Assistance resolution, passed on 8/29/17, on file. A copy of the resolution is included in this package for your review. With the permission of an Authorized Agent, the resolution can be applied to this project.



3650 SCHRIEVER AVENUE • MATHER, CA 95655
RECOVERY GRANTS PROCESSING UNIT
(916) 845-8110

Jocelyn

U.S. Department of Homeland Security
1111 Broadway, Suite 1200
Oakland, CA 94607-4052



FEMA

RECEIVED

NI9-1317

AUG 13 2019

Chron Robin

HAZARD MITIGATION

687346

August 9, 2019

Mark S. Ghilarducci, Director
Governor's Authorized Representative
California Office of Emergency Services
3650 Schriever Avenue
Mather, CA 95655

Reference: Application Approval, HMGP #4344-424-121R
City of Los Angeles, Good Samaritan Hospital Seismic Retrofit
FIPS Code#037-44000, Supplement #44

Dear Mr. Ghilarducci:

The Federal Emergency Management Agency (FEMA) have approved and issued Hazard Mitigation Grant Program (HMGP) funds for the City of Los Angeles (subrecipient), HMGP #4344-424-121R, Good Samaritan Hospital Seismic Retrofit.

The total eligible costs are \$542,249. As shown in the enclosed Supplement #44 Obligation Report, we have obligated \$406,686.70 for up to 75 percent federal share; the non-Federal share match is \$135,562. These funds are available in Smartlink for eligible disbursements.

This HMGP grant approval and obligation of funds are subject to the following:

- 1. Scope of Work (SOW)** – The approved activity will consist of non-structural seismic retrofitting of the mechanical equipment, utilities, and large appliances in the Good Samaritan Hospital's new kitchen area located in the basement of the main hospital building (Witmer Building).
- 2. Budget Revisions and Cost Overruns** - In accordance with the 2015 Hazard Mitigation Assistance Unified Guidance, Part VI D.3, when budget changes are made, all programmatic requirements continue to apply. Additional information regarding budget adjustments and revisions can be found in 2 CFR Part 200.308. The Recipient must obtain FEMA's prior written approval for any budget revisions.

Cost overruns must be approved by FEMA Region IX before implementation and the subgrant must continue to meet programmatic eligibility requirements, including cost effectiveness and cost share. Additional information can be found in 2 CFR Part 200.

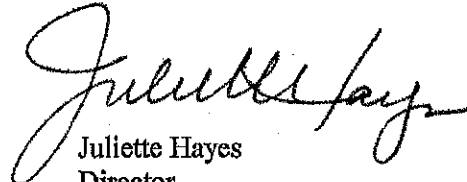
3. **Completion Date** – The work schedule in the application states the activity completion time frame is 36 months. We will annotate August 9, 2022 as the project completion date. Please inform the subrecipient that work completed after this date is not eligible for federal funding, and federal funds may be de-obligated for work not completed within schedule for which there is no approved time extension

In accordance with 2 CFR Part 200, a Grantee must liquidate all obligations incurred under the award no later than 90 days after August 9, 2022.

4. **National Environmental Policy Act (NEPA)** – This project has been determined to be Categorically Excluded from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and DHS Instruction 023-01-001-01; CATEX N7 (Federal Assistance for Structure and Facility Upgrades) has been applied.
5. This award of funds is subject to the enclosed *Standard Hazard Mitigation Grant Program Conditions*, amended August 2018. Federal funds may be de-obligated for work that does not comply with these conditions.

If you have any questions or need further assistance please contact me, or your staff may contact Linda Ortiz, Hazard Mitigation Assistance Specialist, at Linda.Ortiz@fema.dhs.gov (510)-627-7096.

Sincerely,



Juliette Hayes
Director
Mitigation Division
FEMA Region IX

cc: Jennifer Hogan, State Hazard Mitigation Officer
Jocelyn Kelly, Cal OES
Robin Shepard, Cal OES
Monika Saputra, Cal OES

Enclosures (4):
Supplement #44 Obligation Report
Project Management Report
Record of Environmental Considerations
Standard HMGP Conditions

08/08/2019
14:31

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANTS PROGRAM
Obligation Report w/ Signatures

HMGP-OB-02

Disaster No	FEMA Project No	Amendment No	State Application ID	Action No	Supplemental No	State	Recipient
4344	121-R	0	424	1	44	CA	Statewide

Sub-Recipient: Los Angeles
Sub-Recipient FIPS Code: 037-44000

Project Title : Los Angeles, City of, Good Samaritan Kitchen Seismic Retrofit

Total Amount Previously Allocated	Total Amount Previously Obligated	Total Amount Pending Obligation	Total Amount Available for New Obligation
\$406,686.70	\$406,686.70	\$0.00	\$0.00

Project Amount	Subrecipient Management cost amount	Total Obligation	IFMIS Date	IFMIS Status	FY
\$406,686.70	\$0.00	\$406,686.70	08/08/2019	Accept	2019

Comments

Date: 08/08/2019 User Id: KMOJICA

Comment: Approved funding for Good Samaritan Hospital Seismic Retrofit

Authorization

Preparer Name: KAREN MOJICA

Preparation Date: 08/08/2019

HMO Authorization Name: CAROLINE FOWLER

HMO Authorization Date: 08/08/2019



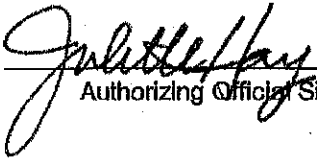
Authorizing Official Signature

HMA ISC

Authorizing Official Title

8/9/18

Authorization Date



Authorizing Official Signature

Julie Hays

Authorizing Official Title

8/10/19

Authorization Date

FEDERAL EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION GRANT PROGRAM

Project Management Report

Disaster FEMA Amendment App ID State Recipient
Number Project Number Number
4344 121-R 0 424 CA Statewide

Sub-Recipient: Los Angeles

FIPS Code: 037-44000

Project Title : Los Angeles, City of, Good Samaritan Kitchen Seismic Retrofit

Mitigation Project Description

Amendment Status : Approved

Approval Status: Approved

Project Title : Los Angeles, City of, Good Samaritan Kitchen Seismic Retrofit

Recipient : Statewide

Sub-Recipient : Los Angeles

Recipient County Name : Los Angeles

Sub-Recipient County Name : Los Angeles

Recipient County Code : 37

Sub-Recipient County Code : 37

Recipient Place Name : Los Angeles

Sub-Recipient Place Name : Los Angeles

Recipient Place Code : 0

Sub-Recipient Place Code : 44000

Project Closeout Date : 00/00/0000

Work Schedule Status

Amend #	Description	Time Frame	Due Date	Revised Date
0	Architects/Engineers Develop Design	2 Months	00/00/0000	00/00/0000
0	Provide Completed Design to OSHPD	4 Months	00/00/0000	00/00/0000
0	Make OSHPD-Recommended Modifications/Correcti	3 Months	00/00/0000	00/00/0000
0	Bids	1 Month	00/00/0000	00/00/0000
0	Deferred Approvals Preparation and Approvl	3 Months	00/00/0000	00/00/0000
0	New Kitchen Area of Basement - Construction Period	14 Months	00/00/0000	00/00/0000
0	Construction - Inspections / Corrections	2 Months	00/00/0000	00/00/0000
0	Construction - Complete Documents	1 Month	00/00/0000	00/00/0000
0	Project Close-out	1 Month	00/00/0000	00/00/0000
0	Grant Close-out	3 Months	00/00/0000	00/00/0000

Approved Amounts

Total Approved Net Eligible	Federal Share Percent	Total Approved Federal Share Amount	Non-Federal Share Percent	Total Approved Non-Fed Share Amount
\$542,249	74.999990000	\$406,687	25.00001000	135562

Allocations

Allocation Number	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Proj Alloc Amount Fed Share	Subrecipient Management Cost	Total Alloc Amount
19	A	08/07/2019	08/07/2019	2019	2793461	7	\$406,686.70		\$3,253,944.68
Total							\$406,686.70	\$0.00	\$406,686.70

Obligations

Action Nr	IFMIS Status	IFMIS Date	Submission Date	FY	ES Support Req ID	ES Amend Number	Suppl Nr	Project Obligated Amt - Fed Share	Subrecipient Management Cost	Total Obligated Amount
1	A	08/08/2019	08/08/2019	2019	2888960	0	44	\$406,686.70	0.00	\$406,686.70
Total								\$406,686.70	\$0.00	\$406,686.70

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4344-424-121

Title: Good Samaritan Hospital Seismic Non-Structural Retrofit

NEPA DETERMINATION

Non Compliant Flag: No EA Draft Date: EA Final Date:
 EA Public Notice Date: EA Fonsl Level: CATEX
 EIS Notice of Intent EIS ROD Date:

Comment This REC addresses seismic retrofit project activities associated with the Good Samaritan Hospital's Wilmer building, 1225 Wilshire Blvd, Los Angeles (34.05479, -118.26511). This project has been determined to be Categorical Exclusion from the need to prepare either an Environmental Impact Statement or Environmental Assessment in accordance with FEMA Instruction 108-1-1 and DHS Instruction 023-01-001-01. Categorical Exclusion N7 has been applied. - dcohen3 - 07/29/2019 17:42:09 GMT

CATEX CATEGORIES

Catex Category Code	Description	Selected
*n7	(*n7) Federal Assistance for Structure and Facility Upgrades. Federal assistance for the reconstruction, elevation, retrofitting, upgrading to current codes and standards, and improvements of pre-existing facilities in existing developed areas with substantially completed infrastructure, when the immediate project area has already been disturbed, and when those actions do not alter basic functions, do not exceed capacity of other system components, or modify intended land use. This category does not include actions within or affecting streams or stream banks or actions seaward of the limit of moderate wave action (or V zone when the limit of moderate wave action has not been identified).	Yes

EXTRAORDINARY

Extraordinary Circumstance Code	Description	Selected ?
	No Extraordinary Circumstances were selected	

ENVIRONMENTAL LAW / EXECUTIVE ORDER

Environmental Law/ Executive Order	Status	Description	Comment
Clean Air Act (CAA)	Completed	Project will not result in permanent air emissions - Review concluded	
Coastal Barrier Resources Act (CBRA)	Completed	Project is not on or connected to CBRA Unit or otherwise protected area - Review concluded	
Clean Water Act (CWA)	Completed	Project would not affect any water of the U.S. - Review concluded	
Coastal Zone Management Act (CZMA)	Completed	Project is not located in a coastal zone area and does not affect a coastal zone area - Review concluded	

16:30:21

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4344-424-121

Title: Good Samaritan Hospital Seismic Non-Structural Retrofit

Environmental Law/ Executive Order	Status	Description	Comment
Executive Order 11988 - Floodplains	Completed	No effect on floodplain/flood levels and project outside floodplain - Review concluded	The project location is in Zone X, as shown on FIRM panel 06037C1817G (effective 12/21/2018). The proposed seismic retrofit work is internal to an existing structure and will not effect flood levels. - dcohen3 - 07/29/2019 17:28:56 GMT
Executive Order 11990 - Wetlands	Completed	No effects on wetlands and project outside wetlands - Review concluded	The project location is not in wetlands (according to the USFWS NWI Wetlands Mapper) and would not result in impacts to wetlands. - dcohen3 - 07/29/2019 17:29:33 GMT
Executive Order 12898 - Environmental Justice for Low Income and Minority Populations	Completed	Low income or minority population in or near project area	There are low income and minority populations in or near the project area. The proposed project will not result in any disproportionately high and adverse impact on these populations. - dcohen3 - 07/29/2019 17:30:07 GMT
	Completed	No disproportionately high and adverse impact on low income or minority population - Review concluded	
Endangered Species Act (ESA)	Completed	Listed species and/or designated critical habitat present in areas affected directly or indirectly by the federal action	Based on the location and nature of the proposed activities, the project does not have the potential to affect listed or proposed species or critical habitat. See attached No Effect memo. - dcohen3 - 07/29/2019 17:30:54 GMT
	Completed	No effect to species or designated critical habitat (See comments for justification) - Review concluded	
Farmland Protection Policy Act (FPPA)	Completed	Project does not affect designated prime or unique farmland - Review concluded	
Fish and Wildlife Coordination Act (FWCA)	Completed	Project does not affect, control, or modify a waterway/body of water - Review concluded	
Migratory Bird Treaty Act (MBTA)	Completed	Project located within a flyway zone	
	Completed	Project does not have potential to take migratory birds - Review concluded	
Magnuson-Stevens Fishery Conservation and Management Act (MSA)	Completed	Project not located in or near Essential Fish Habitat - Review concluded	
National Historic Preservation Act (NHPA)	Completed	Applicable executed Programmatic Agreement. Activity meets Programmatic Allowance (enter date)	This Undertaking was reviewed by Marjorie Nowick who meets the Secretary of the Interior's professional qualifications for

FEDERAL EMERGENCY MANAGEMENT AGENCY

RECORD OF ENVIRONMENTAL CONSIDERATION (REC)

Project HMGP 4344-424-121

Title: Good Samaritan Hospital Seismic Non-Structural Retrofit

Environmental Law/ Executive Order	Status	Description and # in comments) - Review concluded	Comment
			archeology and architectural history per Stipulation I.B.1.a of the 2016 Programmatic Agreement among FEMA, the California State Historic Preservation Officer (SHPO), and the California Governor's Office of Emergency Services (Cal OES) executed on October 30, 2015 (Agreement). This Undertaking meets Programmatic Allowance I.B.1 (building less than 45 years of age), Appendix B of the Agreement. As such, per Stipulation II.B.1 of the Agreement, no review by or notification to the SHPO is required. - mnowick - 07/23/2019 18:27:23 GMT
Wild and Scenic Rivers Act (WSR)	Completed	Project is not along and does not affect Wild and Scenic River - Review concluded	

CONDITIONS

Standard Conditions:

Any change to the approved scope of work will require re-evaluation for compliance with NEPA and other Laws and Executive Orders.

This review does not address all federal, state and local requirements. Acceptance of federal funding requires recipient to comply with all federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize federal funding.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.

Standard Mitigation Grant Program (HMGP) Conditions

FEMA Region IX, August, 2018

The following list applies to Recipients and Subrecipients accepting HMGP funds from the Federal Emergency Management Agency (FEMA) of the Department of Homeland Security (DHS):

1. **Applicable Federal, State, and Local Laws and Regulations.** The Recipient/Subrecipient must comply with all applicable Federal, State, and Local laws and regulations, regardless of whether they are on this list or other project documents. DHS financial assistance Recipients and Subrecipients are required to follow the provisions of the State HMGP Administrative Plan, applicable Hazard Mitigation Assistance Uniform Guidance, and Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located in Title 2 of the Code of Federal Regulations (CFR) Part 200, adopted by DHS in 2 CFR 3002.
2. **Financial Management Systems.** The Recipient and Subrecipient must maintain financial management systems to account for and track funds, as referenced in 2 CFR 200.302.
3. **Match or Cost Share.** Non-federal match or cost share must comply with 2 CFR 200.306, the scope of work (SOW), and any agreements among the Subrecipient, the Recipient, and FEMA.
4. **Budget Changes.** Unanticipated adjustments are permitted within the approved total cost. However, if costs exceed the federal share, the Subrecipient must notify the Governor's Authorized Representative (GAR) of overruns before implementation. The GAR shall submit a written request for approval to FEMA Region IX. The subaward must continue to meet HMGP requirements, including cost effectiveness and cost share. Refer to 2 CFR 200.308 for additional information.
5. **Real Property and Land.** The acquisition, use, and disposition must comply with 2 CFR 200.311.
6. **Equipment.** The acquisition, use, and disposition must comply with 2 CFR 200.313.
7. **Supplies.** Upon project completion, FEMA must be compensated for unused supplies, exceeding \$5,000 (fair market value), and not needed for other federal programs. Refer to 2 CFR 200.314.
8. **Procurement.** Procurement procedures must be in conformance with 2 CFR 200.318-320.
9. **Monitoring and Reporting Program Performance.** The Recipient and Subrecipient must submit quarterly progress reports, as referenced in the 2 CFR 200.328 and State HMGP Administrative Plan.
10. **Records Retention.** In accordance with 2 CFR 200.333, financial/ programmatic records related to expenditures must be maintained at least 3 years after the date of Recipient's final expenditure report.
11. **Enforcement and Termination.** If the Recipient or Subrecipient fails to comply with the award or subaward terms, whether stated in a Federal statute or regulation, the State HMGP Administrative Plan, subapplication, a notice of award, an assurance, or elsewhere, FEMA may take one or more of the actions outlined in 2 CFR 200.338, including termination or partial termination of the award or subaward outlined in 2 CFR 200.339.
12. **Allowable Costs.** Funds are to be used for allowable costs in compliance with 2 CFR 200.403, the approved SOW, and any agreements among the Subrecipient, Recipient, and FEMA.

13. **Non-Federal Audit.** The Recipient and Subrecipient are responsible for obtaining audits in accordance with the Single Audit Act of 1984, in compliance with 2 CFR 200.501.
14. **Debarred and Suspended Parties.** Recipients and Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders 12549 and 12689, and 2 CFR 180. These regulations restrict federal financial assistance awards, subawards, and contracts with parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in the federal assistance programs or activities.
15. **Equipment Rates.** Rates claimed for use of Subrecipient-owned equipment in excess of the FEMA-approved rates must be approved under State guidelines issued by the State Comptroller's Office or must be certified by the Recipient to include only those costs attributable to equipment usage less any fixed overhead and/or profit.
16. **Duplication of Funding between Public Assistance (PA) and HMGP.** Funding for PA Section 406 and HMGP Section 404 are permitted on the same facility/location, but the activities identified under each program must be distinct with separately accounted funds. At closeout, FEMA may adjust the funding to ensure the Subrecipient was reimbursed for eligible work from only one funding source.
17. **Historic Properties and Cultural Resources.** In compliance with 2 CFR 800, if a potential historic property or cultural resource is discovered during construction, the Subrecipient must cease work in the area and take all reasonable measures to avoid or minimize harm to the discovered property/resource. During construction, the Subrecipient will monitor ground disturbance activity, and if any potential archeological resources are discovered, will immediately cease work in that area, and notify the Recipient and FEMA. Construction in the area may resume with FEMA's written approval after FEMA's consultation, if applicable, with the State Historic Preservation Officer (SHPO).
18. **NEPA and Changes to the Scope of Work (SOW).** To comply with the National Environmental Policy Act (NEPA), and other Laws and Executive Orders, any change to the approved SOW shall be re-evaluated before implementation. Construction associated with a SOW change, prior to FEMA approval, may be ineligible for funding. Acceptance of federal funding requires environmental permits and clearances in compliance with all appropriate federal, state and local laws, and failure to comply may jeopardize funding.

Within their authority, the Recipient and Subrecipient must use of all practicable means, consistent with other essential policies, to create and maintain productive harmony for people and nature, and fulfill the social, economic, and other needs of present and future generations of Americans.

**DESIGNATION OF SUBRECIPIENT'S AGENT RESOLUTION
Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program**

BE IT RESOLVED BY THE City Council OF THE City of Los Angeles
(Governing Body) (Name of Applicant)

THAT The City of Los Angeles Mayor's Office, OR
(Title of Authorized Agent)
_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Los Angeles Mayor's Office Department of Public Safety, a public entity
(Name of Subrecipient)

established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Service, for the purpose of obtaining certain federal financial assistance under Public Law 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the California Disaster Assistance Act.

THAT the City of Los Angeles Mayor's Office Department of Public Safety, a public entity established under the laws of the State of California,
(Name of Subrecipient)

hereby authorizes its agent(s) to provide to the California Governor's Office of Emergency Service for all matters pertaining to such state disaster assistance the assurances and agreements required.

Please check the appropriate box below:

- This is a universal resolution and is effective for all open and futures Disasters/Grants up to three (3) years following the date of approval below.
- This is a Disaster/Grant specific resolution and is effective for only Disaster/Grant name/number(s) FEMA-4344-DR-CA

Passed and approved this _____ day of _____, 20____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)


CERTIFICATION

I, Gabriela V. Jasso, duly appointed and Director of Grants and Finance of
(Name) (Title)

City of Los Angeles Mayor's Office of Public Safety, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the City Council of the City of Los Angeles
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20____.


(Signature)

DIR. OF GRANTS & FINANCE
(Title)