

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: June 23, 2023

CAO File No. 0100-00623-0000

Council File No. 20-0898

Council District: All

To: The Council

From: Matthew W. Szabo, City Administrative Officer



Reference: Grant Program Requirement of the Federal Emergency Management Agency (FEMA) and the State of California Governor's Office of Emergency Services (CalOES)

Subject: **RENEWAL OF THE DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR FEMA AND CALOES GRANTS**

RECOMMENDATIONS

That the Council, subject to approval by the Mayor:

1. Approve the attached Designation of Applicant's Agent Resolution for Non-State Agencies designating the City Administrative Officer (CAO) as the City's Authorized Agent to execute and deliver certificates, agreements, and other documents required in connection with obtaining Federally declared Disaster (DR), Fire Management Assistance Grant (FMAG), California Disaster Assistance Act (CDAA), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), and Legislative Pre-Disaster Mitigation Program (LPDM) grants.

SUMMARY

In April 1994 following the Northridge Earthquake, the Council designated the CAO as the "Authorized Agent" for the City with respect to applying for and executing Federal and State assistance for various disasters (C.F. 94-0551). This "Designation of Applicant's Agent Resolution" is required by the FEMA and the CalOES for all official City disaster grant applications to be processed through the CAO. The designation allows this Office to serve as the central clearinghouse for the City's public assistance and hazard mitigation grant program submissions, receipts and disbursements. Los Angeles Administrative Code Section 8.72.1 requires all disaster grant funds to be deposited in the Disaster Assistance Trust Fund (DATF) and gives the CAO the responsibility for managing the DATF Fund.

The most recent Authorized Agent Resolutions were approved by Council August 18, 2020 (C.F. 20-0898) for disaster recovery and hazard mitigation and pre-disaster mitigation grant applications. The Designation of Applicant's Agent Resolutions for Non-State Agencies and Hazard Mitigation

Grant Program and Pre-Disaster Mitigation Program are valid for three years and will expire August 17, 2023; therefore, an updated Designation of Applicant's Agent Resolution must be submitted to FEMA and CalOES. The latest version of the Designation of Applicant's Agent Resolution for Non-State Agencies covers all of these grant programs instead of having two separate documents. The names and titles of at least three approving Governing Body Representatives (Council Members) must be listed on the resolution. The attached resolution, "Designation of Applicant's Agent Resolution for Non-State Agencies (CalOES Form OES-FPD-130)" is submitted for Council approval.

The CAO continues to act as the Authorized Agent for the following open disasters:

- 2023 California Severe Winter Storms, Straight-line Winds, Flooding, Landslides, and Mudslides
- 2023 California Severe Winter Storms, Flooding, Landslides, and Mudslides
- 2022 August Storms
- 2020 California COVID-19
- 2019 Getty Fire
- 2019 Saddleridge Fire
- 2019 Mid-February Storms
- 2018 November California Wildfires
- 2017 Late January Storms
- 2017 January Storms (DWP only)
- 2013 Inyo County Storms (DWP only)
- 2010 January Severe Winter Storms
- 2009 Southern California Station Fire

The CAO also acts as the City's Authorized Agent for pre-disaster mitigation, hazard mitigation, flood mitigation assistance, BRIC grants, and Fire Management Assistance grants.

FISCAL IMPACT STATEMENT

There is no General Fund fiscal impact related to updating the designation of the CAO as the City's Authorized Agent, with respect to applications for state and federal financial assistance for disasters.

MWS/BC:MCK:MER:03230035

Attachments



Cal OES ID No: _____

DESIGNATION OF APPLICANT'S AGENT RESOLUTION FOR NON-STATE AGENCIES

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

THAT City Administrative Officer, OR
 (Title of Authorized Agent)

Assistant City Administrative Officer, OR
 (Title of Authorized Agent)

Chief Administrative Analyst
 (Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Los Angeles
 (Name of Applicant)

a public entity established under the laws of the State of California, this application and to file it with the California Governor's Office of Emergency Services for the purpose of obtaining federal financial assistance for any existing or future grant program, including, but not limited to any of the following:

- **Federally declared Disaster (DR), Fire Mitigation Assistance Grant (FMAG), California State Only Disaster (CDAA), Immediate Services Program (ISP), Hazard Mitigation Grant Program (HMGP), Building Resilient Infrastructure and Communities (BRIC), Legislative Pre-Disaster Mitigation Program (LPDM)**, 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.
- **Flood Mitigation Assistance Program (FMA)**, under Section 1366 of the National Flood Insurance Act of 1968.
- **National Earthquake Hazards Reduction Program (NEHRP)** 42 U.S. Code 7704 (b) ((2) (A) (ix) and 42 U.S. Code 7704 (b) (2) (B) National Earthquake Hazards Reduction Program, and also The Consolidated Appropriations Act, 2018, Div. F, Department of Homeland Security Appropriations Act, 2018, Pub. L. No. 115-141
- **California Early Earthquake Warning (CEEW)** under CA Gov Code – Gov, Title 2, Div. 1, Chapter 7, Article 5, Sections 8587.8, 8587.11, 8587.12

That the City of Los Angeles, a public entity established under the
 (Name of Applicant)

laws of the State of California, hereby authorizes its agent(s) to provide to the Governor's Office of Emergency Services 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 future disasters/grants declared up to three (3) years following the date of approval.
- This is a disaster/grant specific resolution and is effective for only disaster/grant number(s): _____

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, _____, duly appointed and _____ of
 (Name) (Title)
 City of Los Angeles, do hereby certify that the above is a true and
 (Name of Applicant)

correct copy of a resolution passed and approved by the **City Council**
 (Governing Body)
 of the **City of Los Angeles** on the ___ day of _____, 20__.
 (Name of Applicant)

 (Signature)

 (Title)



Cal OES Form 130 Instructions

A Designation of Applicant's Agent Resolution for Non-State Agencies is required of all Applicants to be eligible to receive funding. A new resolution must be submitted if a previously submitted resolution is older than three (3) years from the last date of approval, is invalid, or has not been submitted.

When completing the Cal OES Form 130, Applicants should fill in the blanks on pages 1 and 2. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the group responsible for appointing and approving the Authorized Agents.

Examples include: Board of Directors, City Council, Board of Supervisors, Board of Education, etc.

Name of Applicant: The public entity established under the laws of the State of California.

Examples include: School District, Office of Education, City, County or Non-profit agency that has applied for the grant, such as: City of San Diego, Sacramento County, Burbank Unified School District, Napa County Office of Education, University Southern California.

Authorized Agent: These are the individuals that are authorized by the Governing Body to engage with the Federal Emergency Management Agency and the California Governor's Office of Emergency Services regarding grants for which they have applied. There are two ways of completing this section:

1. **Titles Only:** The titles of the Authorized Agents should be entered here, not their names. This allows the document to remain valid if an Authorized Agent leaves the position and is replaced by another individual. If "Titles Only" is the chosen method, this document must be accompanied by either a cover letter naming the Authorized Agents by name and title, or the Cal OES AA Names document. The supporting document can be completed by any authorized person within the Agency (e.g., administrative assistant, the Authorized Agent, secretary to the Director). It does not require the Governing Body's signature.
2. **Names and Titles:** If the Governing Body so chooses, the names **and** titles of the Authorized Agents would be listed. A new Cal OES Form 130 will be required if any of the Authorized Agents are replaced, leave the position listed on the document, or their title changes.



Checking Universal or Disaster-Specific Box: A Universal resolution is effective for all past disasters and for those declared up to three (3) years following the date of approval. Upon expiration it is no longer effective for new disasters, but it remains in effect for disasters declared prior to expiration. It remains effective until the disaster goes through closeout unless it is superseded by a newer resolution.

Governing Body Representative: These are the names and titles of the approving Board Members.

Examples include: Chairman of the Board, Director, Superintendent, etc. The names and titles **cannot** be one of the designated Authorized Agents. A minimum of three (3) approving board members must be listed. If less than three are present, meeting minutes must be attached in order to verify a quorum was met.

Certification Section:

Name and Title: This is the individual in attendance who recorded the creation and approval of this resolution.

Examples include: City Clerk, Secretary to the Board of Directors, County Clerk, etc. This person **cannot** be one of the designated Authorized Agents or Approving Board Member. If a person holds two positions (such as City Manager and Secretary to the Board) and the City Manager is to be listed as an Authorized Agent, then that person could sign the document as Secretary to the Board (not City Manager) to eliminate "Self-Certification."