

CITY OF YUBA CITY
STAFF REPORT

Date: March 2, 2021
To: Honorable Mayor & Members of the City Council
From: Finance Department
Presentation By: Spencer Morrison, Finance Director

Summary

Subject: Designation of City's Agents for signing disaster recovery applications
Recommendation: Adopt a Designation of Applicant's Agent Resolution for Non-State Agencies for City representatives to provide to CalOES for all matters pertaining to such State disaster assistance and agreements.
Fiscal Impact: Adoption of the recommended action will allow City staff to file for applications to obtain federal and state reimbursement claims and grants.

Purpose:

To designate authorized signers among City staff to sign applications and forms to obtain federal and state reimbursement claims and grants.

Background:

Under federal Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and state law under the California Disaster Assistance Act, City staff must bring a Resolution before council periodically to maintain a current list of authorized signers on file at California Governor's Office of Emergency Services (CalOES) for the purpose of obtaining certain federal and state financial assistance. Such a Resolution authorizes designated City staff to provide for all matters pertaining to such state and federal disaster assistance the assurances and agreements required.

Analysis:

CalOES has provided guidance to the City and their form 130 containing the very language they will require with clear instructions to provide titles, rather than names. The three authorized signers recommended are the City Manager, Public Works Director, and the Finance Director. These three positions have the highest level of financial oversight and will likely be directing the staff working most closely to the financial recovery efforts in current and future events. Form 130 must be completed, authorized, and returned to CalOES to satisfy this requirement.

Fiscal Impact:

Adoption of the recommended action will allow City staff to file for applications to obtain federal and state reimbursement claims and grants.

Alternatives:

Alternatives available to the City Council on this matter include: 1) Direct staff to include a different set of authorized signers on the Form 130, and 2) Direct staff to use alternative methods to fund disaster recovery aside from state and federal claims or grants.

Recommendation:

Adopt a Designation of Applicant's Agent Resolution for Non-State Agencies for City representatives to provide to CalOES for all matters pertaining to such State disaster assistance and agreements.

Attachments:

1. CalOES Form 130

Prepared By:

/s/ Spencer Morrison

Spencer Morrison
Finance Director

Submitted By:

/s/ Dave Vaughn

Dave Vaughn
City Manager

Reviewed By:

City Attorney

[SLC by email](#)

ATTACHMENT 1

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

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

THAT City Manager, OR
(Title of Authorized Agent)

Public Works Director, OR
(Title of Authorized Agent)

Finance Director
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Yuba City, a public entity
(Name of Applicant)
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 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 Yuba City, a public entity established under the laws of the State of California,
(Name of Applicant)
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 up to three (3) years following the date of approval below.
- This is a disaster specific resolution and is effective for only disaster number(s) _____

Passed and approved this 2nd day of March, 2021

Marc Boomgaarden, Mayor
(Name and Title of Governing Body Representative)

Dave Shaw, Vice Mayor
(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, Ciara Wakefield, duly appointed and Deputy City Clerk of
(Name) (Title)

City of Yuba City, 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 Yuba City
(Governing Body) (Name of Applicant)

on the 2nd day of March, 2021.

(Signature)

Deputy City Clerk
(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 page 1. 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 Governor's Office of Emergency Services regarding grants applied for by the Applicant. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, the titles of the Authorized Agents would be entered here, not their names. This allows the document to remain valid (for 3 years) if an Authorized Agent leaves the position and is replaced by another individual in the same title. If "Titles Only" is the chosen method, this document must be accompanied by a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency and 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.

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, and a minimum of two or more approving board members need to be listed.

Certification Section:

Name and Title: This is the individual that was in attendance and recorded the Resolution creation and approval.

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 the same person holding the Secretary position would sign the document as Secretary to the Board (not City Manager) to eliminate "Self Certification.")