



# COUNCIL REPORT

**DATE:** June 13, 2023  
**CATEGORY:** Consent  
**DEPT.:** Finance and Administrative Services  
**TITLE:** **Adopt a Resolution Designating Applicant's Agent for Non-State Agencies**

## **RECOMMENDATION**

Adopt a Resolution of the City Council of the City of Mountain View Approving the State of California Governor's Office of Emergency Services' Designation of Applicant's Agent Resolution, Cal OES 130 Form, Authorizing the City of Mountain View Positions of City Manager, or Finance and Administrative Services Director, or Purchasing and Support Services Manager as Designated Authorized Applicant's Agents to Execute for and on Behalf of the City of Mountain View 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 Services Act of 1988, and/or State Financial Assistance Under the California Disaster Assistance Act, to be read in title only, further reading waived (Attachment 1 to the Council report).

## **BACKGROUND**

The State of California Governor's Office of Emergency Services (Cal OES) requires local jurisdictions to update their "Designation of Applicant's Agent Resolution for Non-State Agencies" ("Cal OES 130" form) every three years in order to obtain certain financial assistance, including disaster recovery funds. The Cal OES 130 form identifies the authorized agents for the City of Mountain View (City) when financial assistance is sought under existing or future grant programs, including, but not limited to, programs under the Robert T. Stafford Disaster Relief and Emergency Assistance Act and the California Disaster Assistance Act.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) provides Federal financial assistance for individual and/or public assistance after a Federal "major disaster" or "emergency" declaration is proclaimed. Public assistance can include response, recovery, and mitigation after an emergency or major disaster declaration. Individual assistance can include recovery and/or mitigation after a major disaster declaration is proclaimed.

The California Disaster Assistance Act (CDAA) provides State financial assistance for recovery efforts to counties, cities, and/or special districts after a State disaster has been proclaimed. CDAA funds can be implemented as a "stand-alone" funding source, following a Cal OES Director's

Concurrence for a local emergency or a Governor's Proclamation when there is no Federal declaration.

Since the City's current Cal OES 130 form will expire on June 22, 2023, staff is proposing to submit an updated form (Exhibit A of Attachment 1).

### **ANALYSIS**

On April 2, 2020, the City submitted a Request for Public Assistance application to the Cal OES for reimbursement from the Coronavirus Relief Fund. Recently, the City has submitted five reimbursement requests to the Federal Emergency Management Agency (FEMA), which are all currently under review by FEMA. To receive those funds and any other funds that the City may be qualified for the Stafford Act or the CDAA, the City is required to have a current Cal OES 130 form on file (Exhibit A of Attachment 1). The City's Cal OES 130 form on file will expire on June 22, 2023. Staff is not expecting the five reimbursement requests to be approved for reimbursement by June 22, 2023. Therefore, an updated Cal OES 130 form is required.

The proposed resolution will approve the required Cal OES 130 form. The resolution can identify up to three position titles that will be authorized to execute the application on behalf of the City. The City's Designation of Applicant's Agent Resolution will name the City Manager, or the Finance and Administrative Services Director, or the Purchasing and Support Services Manager, as authorized by the City, to engage with FEMA and Cal OES regarding grants applied for by the City. These three positions were identified as most appropriate based on fiscally related job duties and responsibilities. Staff recommends that the form designate agents by position instead of specific names and be effective for all open and future disasters declared by the State or Federal government for up to three years following the date of adoption. This will help expedite the processing of any requests in the future as well.

### **FISCAL IMPACT**

Recently, the City has submitted five reimbursement requests to FEMA for a total reimbursement amount of \$1.03 million. At this time, it is unclear how much the City will be reimbursed by FEMA. There are no negative fiscal impacts related to completing and submitting this form. Adoption of the resolution will permit the City to obtain financial assistance for all open and future disasters declared by the State or Federal government for up to three years following the date of approval of the resolution.

**ALTERNATIVES**

1. Council could elect to designate other position titles as designated agents in the Designation of Applicant's Agent Resolution.
2. Council could choose not to approve or submit a Designation of Applicant's Agent Resolution, which would result in the City being ineligible to receive Federal or State assistance for any declared emergencies.
3. Provide other direction.

**PUBLIC NOTICING**—Agenda posting.

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Attachment: 1. Resolution