

REPORT FROM

OFFICE OF THE CITY ADMINISTRATIVE OFFICER

Date: July 17, 2020

CAO File No. 0100-00611-0000

Council File No.

Council District: All

To: The Council

From: Richard H. Llewellyn, Jr., 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 Federal and State disaster assistance and Fire Management Assistance grants; and,
2. Approve the attached Designation of Subrecipient's Agent Resolution for Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program designating the CAO as the City's Authorized Agent to execute and deliver certificates, agreements, and other documents required in connection with obtaining pre-disaster mitigation, hazard mitigation, and flood mitigation.

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). These "Designation of Applicant's Agent Resolution(s)" are required by the Federal Emergency Management Agency (FEMA) and the California Governor's Office of Emergency Services (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, hazard mitigation and pre-disaster mitigation grant program submittals, 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 29, 2017 (C.F. 14-0953) 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 28, 2020; therefore updated Designation of Applicant's Agent Resolutions must be submitted to FEMA and CalOES. The names and titles of at least three approving Governing Body Representatives (Council Members) must be listed on the resolutions. The attached resolutions, "Designation of Applicant's Agent Resolution for Non-State Agencies (CalOES Form 130)" and "Designation of Subrecipient's Agent Resolution Hazard Mitigation Grant Program and Pre-Disaster Mitigation Program, CalOES Form 130)" are submitted for Council approval.

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

- 2020 California COVID-19
- 2019 Getty Fire
- 2019 Saddleridge Fire
- 2019 Mid-February Storms
- 2018 November California Wildfires
- 2017 Skirball Fire
- 2017 Creek Fire
- 2017 La Tuna Fire
- 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, 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.

RHL:MCK:MER:03200072

Attachments

ATTACHMENT

**Applicant's Authorized Representatives
City of Los Angeles
Office of the City Administrative Officer**

| | |
|--|--|
| City Administrative Officer | Richard H. Llewellyn Jr. |
| Assistant City Administrative Officers | Ben Ceja* Patricia J. Huber Yolanda Chavez |
| Chief Administrative Analyst or Inspector General | Melissa C. Krance* |
| Chief Administrative Analyst | Various |

* Note: Melissa Krance and Ben Ceja are the names that will primarily appear on federal and state disaster grant documents for the City of Los Angeles for Federal Emergency Management Agency (FEMA) and State (Cal OES) disaster public assistance, hazard mitigation and fire management assistance applications.

**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 or Inspector General
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Los Angeles, 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 Los Angeles, 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 _____ 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 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)

(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.")

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

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

Chief Administrative Analyst or Inspector General
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of Los Angeles, 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, 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) _____

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 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)

(Title)

Cal OES Form 130 **Instructions**

A new Designation of Applicant's Agent Resolution is required if the previously submitted document is older than three (3) years from the last date of Board/Council approval.

When completing the Cal OES Form 130, Subrecipients should fill in the blanks on page 1. The blanks are to be filled in as follows:

Resolution Section:

Governing Body: This is the individual or group responsible for appointing and approving the Authorized Agents. Examples include: Board of Directors, City Council, Board of Supervisors, etc.

Name of Subrecipient: This is the official name of the non-profit, agency, city, county or special district that has applied for the grant. Examples include: City of Sacramento; Sacramento County; or Los Angeles Unified School District.

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 Service regarding grants applied for by the subrecipient. There are two ways of completing this section:

1. **Titles Only:** If the Governing Body so chooses, 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 a cover letter naming the Authorized Agents by name and title. This cover letter can be completed by any authorized person within the agency (e.g.; City Clerk, the Authorized Agent, Secretary to the Director) 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 should 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, Superintendent, etc. The names and titles cannot be one of the designated Authorized Agents.

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 to eliminate "Self Certification."