

Agenda Item Number: _____

Agenda Report Reviewed by:

City Manager/City Attorney:



CITY OF SEBASTOPOL
CITY COUNCIL
AGENDA ITEM

Meeting Date: September 17, 2019
To: Honorable Mayor and City Councilmembers
From: Fire Chief Bill Braga
Subject: Approval of Correction for Cal OES Designation of Applicant's Agent Resolution for Non-State Agencies
Recommendation: That the City Council Approve the Resolution Designating the City Manager and Fire Chief/Director of Emergency Services as the City's Agents for the purpose of obtaining Federal and State Financial Assistance
Funding: Currently Budgeted: _____ Yes _____ No XX N/A
Net General Fund Cost:
Amount: \$

INTRODUCTION:

This item is to request that the City Council Approve by Resolution correcting the Cal OES Designation of Applicant's Agent for Non-State Agencies by designating the City Manager and Fire Chief/Director of Emergency Services as City Agents utilizing Cal OES Form 130 (Exhibit A).

BACKGROUND:

On February 25, 2019, a large winter storm event referred to as an Atmospheric River battered the City of Sebastopol and the County of Sonoma with heavy rains that caused the Russian River and other local creeks and tributaries to overflow their banks. This extreme storm event that occurred in the City of Sebastopol beginning February 25, 2019, resulted in massive flooding of local streets, highways, private streets, City Infrastructure, City Parks, public and private property.

Cal OES Form 130 was completed and submitted with our Approval of Resolution Ratifying an Emergency Proclamation on March 5, 2019. Unfortunately, the Cal OES Form 130 was rejected and deemed Invalid by the State. The Form can only be approved by Resolution designating an authorized City Agent. This Resolution will correct the Form and satisfy the State's requirements.

DISCUSSION:

Cal OES Form 130 (Exhibit A), Designation of Applicant's Agent Resolution for Non-State Agencies, is required to be Approved by Resolution 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 financial assistance under the California Disaster Assistance Act (CDAA). This is a universal Resolution and is effective for all open and future disasters up to three (3) years following the date of approval to expedite processing of requests in the future.

The City Council is requested to adopt the attached Resolution correcting the Cal OES Designation of Applicant's Agent for Non-State Agencies by designating the City Manager and Fire Chief/Director of Emergency Services as City Agents utilizing Cal OES Form 130 (Exhibit A).

FISCAL ANALYSIS:

There are no direct budget impacts associated with approving the Resolution to correct the Cal OES Designation of Applicant's Agent for Non-State Agencies on Cal OES Form 130, Exhibit A. Approval of this Resolution would provide the opportunity for the City of Sebastopol to get reimbursed by Federal (FEMA) and/or State Agencies (Cal OES) for with costs associated with Storm related impacts.

RECOMMENDATION:

That the City Council adopt a Resolution to correct the Cal OES Designation of Applicant's Agent for Non-State Agencies by designating the City Manager and Fire Chief/Director of Emergency Services as City Agents utilizing Cal OES Form 130 (Exhibit A).

Attachments:

1. Resolution
2. Exhibit "A"

RESOLUTION NUMBER: _____

CITY OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL DESIGNATING THE CITY MANAGER AND FIRE CHIEF/DIRECTOR OF EMERGENCY SERVICES AS THE CITY'S AGENTS TO PROVIDE REQUIRED ASSURANCES AND EXECUTE AGREEMENTS FOR THE PURPOSE OF OBTAINING CERTAIN FEDERAL ASSISTANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) UNDER PUBLIC LAW 93-288 AS AMENDED BY THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT OF 1988, AND/OR STATED FINANCIAL ASSISTANCE UNDER THE CALIFORNIA DISASTER ASSISTANCE ACT THROUGH THE STATE OF CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES (CAL OES) FOR DISASTER AID; APPROVING THE CORRESPONDING CAL OES FORM 130; AND AUTHORIZING THE CITY MANAGER TO EXECUTE AND FILE THE CAL OES FORM 130 AND SUBMIT ALL RELATED DOCUMENTATION.

WHEREAS, in late February 2019, severe winter storms caused widespread flooding, mudslides, erosion, and damage to roads and other public infrastructure and facilities throughout California; and

WHEREAS, to help communities recover from the storm damage, the California Governor issued Emergency Proclamations and requested Presidential Disaster Declarations. The President approved the requests and declared major disasters making federal disaster aid available to Public Agencies located in over 17 Counties in the State of California, which included Sonoma County; and

WHEREAS, for Cal OES to complete the processing of the City's request for Public Assistance, the City Council must designate City Agents responsible for providing required assurances and executing agreements with FEMA and Cal OES on behalf of the City and approve the corresponding Cal OES Form 130; and

WHEREAS, City staff recommends that the Cal OES Form 130 designate City Agents by position, instead of specific names, and be effective for all open and future disasters declared by the State or Federal government up to three (3) years following the date of approval so as to expedite processing of requests in the future.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Sebastopol, that it designates the City Manager and Fire Chief/Director of Emergency Services as the City's Agents to provide required assurances and execute agreements for the purposes of obtaining financial assistance from the Federal Emergency Management Agency (FEMA) and the State of California Governor's Office of Emergency Services (Cal OES) for disaster aid; approving Cal OES Form 130, attached to the Resolution as Exhibit A; and authorizing the City Manager to file the Cal OES Form 130 with Cal OES and submit all related documentation; and

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon passage and adoption.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 17th day of September, 2019, by the following vote:

VOTE:
Ayes:
Noes:
Abstain:
Absent:

APPROVED: _____
Mayor Neysa Hinton

ATTEST: _____
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: _____
Larry McLaughlin, City Attorney

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

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEBASTOPOL
(Governing Body) (Name of Applicant)

THAT CITY MANAGER OR
(Title of Authorized Agent)
FIRE CHIEF / DIRECTOR OF EMERGENCY SERVICES OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the CITY OF SEBASTOPOL, 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 SEBASTOPOL, 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 17 day of SEPTEMBER, 2019

NEYSA HINTON - MAYOR
(Name and Title of Governing Body Representative)

PATRICK SLATER - VICE MAYOR
(Name and Title of Governing Body Representative)

SARAH GLADE GURNEY - COUNCIL MEMBER
(Name and Title of Governing Body Representative)

CERTIFICATION

I, MARY GOURLEY, duly appointed and ASST. CITY MANAGER / CITY CLERK
(Name) (Title)

CITY OF SEBASTOPOL, 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 SEBASTOPOL
(Governing Body) (Name of Applicant)

on the 17 day of SEPTEMBER, 2019.

(Signature)

(Title)