

Staff Report

TO: Board of Directors

FROM: Greg Jones, Assistant General Manager

DATE: October 26, 2022

SUBJECT: California Office of Emergency Services (Cal OES) Designation of Applicant's Agent Resolution (Consent)

ADMINISTRATION

RECOMMENDATION:

Adopt Cal OES Designation of Applicant's Agent Resolution for Non-State Agencies.

BACKGROUND:

On January 31, 2020, the federal government declared a public health emergency due to the COVID19 crisis. Subsequently, the Governor of California declared a state of emergency on March 4, 2020. NID staff began tracking costs related to the pandemic in March of 2020.

In order to request emergency funding and/or reimbursement, FEMA and the California Office of Emergency Services requires requestors to follow specific protocols, including submission of the attached form. This form was previously approved by the Board containing

The category currently open for reimbursement under the Disaster FEMA-4482 is for emergency protective measures only (PPE for workers). Expenses applicable under this category include PPE, face masks, COVID-19 signage, temporary physical barriers, cleaning and disinfecting supplies, contract work, and rented equipment for the period February 28, 2020, through August 31, 2021.

NID has categorized and accounted for all Pandemic related expenses and has been working closely with both CAL OES and with FEMA financial processing units. Submission of this resolution, including the requested documents, is the final step in the application submittal process.

In May of 2020, the Board approved this resolution. However, it contained incorrect account identification numbers. This will correct and replace that resolution.

BUDGETARY IMPACT:

NID is submitting for a total of \$160,363.18 in emergency protective measures expense reimbursement from FEMA.

Attachments (1):

- CAL OES Designation of Applicant's Agent Resolution for Non-State Agencies

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

BE IT RESOLVED BY THE Board of Directors OF THE Nevada Irrigation District
(Governing Body) (Name of Applicant)

THAT General Manager, OR
(Title of Authorized Agent)

Assistant General Manager, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Nevada Irrigation District,
(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 Nevada Irrigation District, 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): DR 4482

Passed and approved this 26 day of October, 2022

Chris Bierwagen, President

(Name and Title of Governing Body Representative)

Karen Hull, Vice President

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, **Kris Stepanian**, duly appointed and **Board Secretary** of
(Name) (Title)

Nevada Irrigation District, do hereby certify that the above is a true and
(Name of Applicant)

correct copy of a resolution passed and approved by the **Board of Directors**
(Governing Body)

of the **Nevada Irrigation District** on the 26th day of October, 2022.
(Name of Applicant)

Board Secretary

(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."