



Council Agenda Report

From: Catherine Piatti, Finance Manager

Subject: Designation of the City's Agents in Applying for Reimbursement from the California Governor's Office of Emergency Services

CEQA Determination: The City find that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section State CEQA Guidelines, §§ 15061, subd. (b)(2)-(3), 15378.

Date: March 7, 2023

Facts

1. On January 14, 2023, President Biden approved a [Major Disaster Declaration for California](#) and ordered Federal assistance to supplement State, tribal, and local response efforts due to the emergency conditions resulting from successive and severe winter storms, flooding, and mudslides beginning on December 27, 2022, and continuing.
2. On January 17, 2023 the [Major Disaster Declaration for the State of California \(FEMA-4683-DR\)](#) for severe winter storms was amended to include the County of San Luis Obispo for individual assistance, debris removal, and emergency protective measures. Residents of San Luis Obispo County will now be eligible to apply for Federal financial assistance and public agencies will be eligible to seek reimbursement for the removal of debris. Public agencies had previously been eligible for reimbursement for costs associated with emergency protective measures.
3. Under the Emergency Declaration, the Federal Emergency Management Agency (FEMA) is authorized to identify, mobilize, and provide at its discretion, equipment, and resources necessary to alleviate the impacts of the emergency.
4. In order to request recovery funds, the City is required to submit a Request of Public Assistance (RPA) application package by March 15, 2023. The RPA application package includes: 1) Request for Public Assistance Form; 2) Project Assurances for Federal Assistance; and 3) Designation of Applicant's Agent Resolution.
5. As part of the RPA application package, City Council must approve the resolution to designate the City's agents (Attachment 1). The state-formatted resolution identifies the City Manager, the Assistant City Manager, and the Director of Administrative Services as designated agents to apply for public assistance and recovery funding on behalf of the City for a period up to three years.
6. The City previously approved a Designation of Applicant's Agent Resolution on March 27, 2020, in response to the COVID-19 Pandemic. This universal resolution is in effect for three years. The three-year coverage ends at the end of March 2023, therefore it is time to renew our designation.

Options

1. Take no action;
2. Approve the State of California Governor's Office of Emergency Services Designation of Applicant's Agent Resolution, allowing the City Manager, the Assistant City Manager, and/or the Director of Administrative Services to apply for public assistance and recovery funding on the behalf of the City;
3. Direct an alternative approach to meet the required needs of the City.

Analysis and Conclusions

On January 4, 2023, as part of the State of California's response to address the winter storms, [Governor Gavin Newsom declared a State of Emergency](#) in order to make additional resources available, formalize emergency

actions already underway and to support the ongoing response to recent winter storms. The emergency proclamation supports emergency relief efforts including authorizing the mobilization of the California National Guard to support disaster response, directing Caltrans to request immediate assistance through the Federal Highway Administration's Emergency Relief Program to support highway repairs and other support for local response and recovery efforts.

In order for the City to be eligible for public assistance, an RPA application package must be submitted by March 15, 2023 to California Office of Emergency Services (OES). Part of the application package includes the State of California Governor's Office of Emergency Services Designation of Applicant's Agent Resolution, which requires governing board approval prior to submission. The state formatted resolution (attached) lists the City Manager, the Assistant City Manager, and/or the Director of Administrative Services as designated agents that can apply for public assistance and recovery funding on behalf of the City for a three-year period. The City previously approved a Designation of Applicant's Agent Resolution on March 27, 2020, in response to the COVID-19 Pandemic. This universal resolution is in effect for three years. The three-year coverage ends at the end of March 2023, therefore it is time to renew our designation.

Fiscal Impact

Designating representative agents through the approval of the California OES formatted resolution does not require any funding, however, it does allow the City to apply for possible reimbursements.

CEQA

The City find that this action is not a project under the California Environmental Quality Act pursuant to State Guidelines Section CEQA Guidelines, §§ 15061, subd. (b)(2)-(3), 15378.

Recommendation

Approve Resolution 23-XXX, approving the State of California Governor's Designation of Applicant's Agent Resolution allowing the City Manager, the Assistant City Manager, and/or the Director of Administrative Services to apply for and obtain disaster relief and emergency financial assistance on behalf of the City, for costs incurred related to the January 2023 winter storms.

Attachments

1. Resolution 23-XXX, State of California Governor's Office of Emergency Services Designation of Applicant's Agent
Exhibit A. - Agent Designation Application