



## Town Council Agenda Report

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Date: April 14, 2020 Item No. 13

To: Honorable Mayor and Town Council

Subject: DESIGNATION OF AUTHORIZED AGENTS AND SUBMISSION OF FORM CAL OES 130

From: Douglas Robertson, Town Manager

Submitted by: Thomas Rice, Town Attorney

Budgeted Item:  Yes  No  N/A

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### **RECOMMENDED ACTION:**

Staff recommends that the Town Council designate authorize agents and authorize submission of form Cal OES 130.

### **BACKGROUND:**

COVID19 is an ongoing global pandemic threatening the health of every resident, including the residents of the Town of Apple Valley. The Town is able to receive money from FEMA in order to assist its citizens during this pandemic. In order to receive the funds, the Town must file form Cal OES 130, Designation of Applicant's Agent Resolution for Non-State Agencies, with the Office of Emergency Services.

### **DISCUSSION:**

Through this action, the Town Council would authorize the Town Manager to complete and submit form Cal OES 130 to the Office of Emergency Services. The draft form identifies the Town Manager, Assistant Town Manager, and Finance Director as the Town's authorized agents for the purposes 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. This action and the submission of the form would authorize the above agents to provide to the Governor's Office of Emergency Services for all matters pertaining to such state disaster assistance the assurances and agreements required. Cal OES 130 is a universal resolution that is effective for all open and future disasters up to three (3) years following the date of its submission.

### **FISCAL IMPACT**

Submission of Form Cal OES 130 will enable the Town to receive funds from FEMA to assist the Town with the economic consequences caused by COVID19.

**CONCLUSION**

Staff recommends that the Town Council designate authorize agents and authorize submission of form Cal OES 130.

**ATTACHMENTS**

Form Cal OES 130

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

BE IT RESOLVED BY THE Town Council OF THE Town of Apple Valley  
(Governing Body) (Name of Applicant)

THAT Town Manager, OR  
(Title of Authorized Agent)

Assistant Town Manager, OR  
(Title of Authorized Agent)

Finance Director  
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Town of Apple Valley, 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 Town of Apple Valley, 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 14th day of April, 2020

Mayor Scott Nassif  
(Name and Title of Governing Body Representative)

Mayor Pro Tem Curt Emick  
(Name and Title of Governing Body Representative)

\_\_\_\_\_  
(Name and Title of Governing Body Representative)

**CERTIFICATION**

I, La Vonda M-Pearson, duly appointed and Town Clerk of  
(Name) (Title)

Town of Apple Valley, do hereby certify that the above is a true and correct copy of a  
(Name of Applicant)

Resolution passed and approved by the Town Council of the Town of Apple Valley  
(Governing Body) (Name of Applicant)

on the 14th day of April, 2020.

\_\_\_\_\_  
(Signature)

Town Clerk  
(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.")