



**Department:** Public Works  
**Cost Center:** 5001  
**For Agenda of:** 10/19/2021  
**Placement:** Consent  
**Estimated Time:** NA

**FROM:** Matt Horn, Public Works Director  
**Prepared By:** Paul Fields, Administrative Analyst

**SUBJECT:** ADOPT A RESOLUTION NAMING THE CITY AGENTS AUTHORIZED TO SEEK FINANCIAL ASSISTANCE FOLLOWING A DISASTER

### RECOMMENDATION

Adopt a Resolution entitled, "A Resolution of the Council of the City of San Luis Obispo, California, designating its agents for Disaster Reimbursement" and work with the California Governor's Office of Emergency Services (Cal OES) to receive financial assistance for disasters, including damage caused in the January and February 2021 storm event.

### DISCUSSION

#### Background

In late January and February of 2021, the City of San Luis Obispo experienced a forceful storm event that severely damaged a storm drain on Olive St. and caused damage at the community services and Police building. In response to the storm, City staff worked overtime clearing storm drains, removing downed trees, blocking flooded areas, and monitoring creek levels for flooding. The Federal Emergency Management Agency (FEMA) recognized the event and grant funds became available to reimburse jurisdictions for expenditures related to infrastructure repairs and staff overtime.

Cal OES, the agency responsible for administering FEMA funds requires submittal of the Designation of Applicants Agent Resolution (OES 130 -Attachment A) and a project application for federal assistance. Once received, Cal OES will reimburse the City for eligible expenditures related to the storm.

According to Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, it is required that the City Council designate an approved agent(s) every three years to execute and file the application to the Cal OES to obtain certain federal and/or state financial assistance.

The Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 constitutes the statutory authority for most federal disaster response activities, especially as they pertain to FEMA programs. This universal resolution is not disaster-specific and will be kept on file by Cal OES for a period of three years. The City of San Luis Obispo agents designated by title include the Finance Director, Accounting Manager/Controller, and the Senior Accountant. The previous resolution expired on September 18, 2021.

**Previous Council or Advisory Body Action**

On September 18, 2018, the City Council adopted a resolution authorizing the City of San Luis Obispo's agents to work with Cal OES to receive financial assistance for disasters, the authorization expired on September 18, 2021.

**Policy Context**

Section 740 of the City's Financial Management Manual requires City Council approval to pursue grants in excess of five thousand dollars. While the reimbursement amount has not yet been determined staff anticipates it will exceed that threshold. The reimbursement is in compliance with all aspects of the City's grant management policy. The reimbursement requires minimal administrative effort and costs; the reimbursement amount will exceed the cost of staff time spent on the application considerably. Given this is a reimbursement-based grant it will not necessitate additional resources for administration and there are no audit or reporting requirements beyond the reimbursement application.

**Public Engagement**

No public engagement is necessary as this is an administrative item. The public will have an opportunity to comment on this item during the meeting.

**CONCURRENCE**

The Finance department has been consulted and is supportive of the recommended action.

**ENVIRONMENTAL REVIEW**

The California Environmental Quality Act does not apply to the recommended actions in this report because the actions do not constitute a "project" under CEQA guidelines sec. 15378.

## **FISCAL IMPACT**

The FEMA funds will reimburse the City for work related to a storm drain repair, and building repairs related to the storm. Additionally, the City will be reimbursed for overtime spent on clearing storm drains, removing downed trees, clearing debris from the City right-of-way and monitoring creek levels for flooding. The authorization will allow the City to apply for future reimbursements for eligible costs related to declared emergencies under the California Disaster Assistance Act (CDAA).

## **ALTERNATIVES**

***The City Council could opt not to pursue reimbursements for storm related expenditures.*** This is not recommended as this funding was approved specifically for storm related expenditures and would be granted without additional requirements.

## **ATTACHMENTS**

A – Draft Resolution designating Agents for Disaster Reimbursement

B – Cal OES Form 130 – Designation of Applicant's Agent Resolution for Non-State Agencies