



Council Agenda Report

To: Mayor Farrer and the Honorable Members of the City Council

Prepared by: Lisa Soghor, Assistant City Manager

Approved by: Reva Feldman, City Manager

Date prepared: April 2, 2020 Meeting date: April 13, 2020

Subject: Delegation of Staff to Execute Federal and State Documents

RECOMMENDED ACTION: Adopt Resolution No. 20-16 authorizing the City Manager, the Assistant City Manager and the Public Works Director to execute documents pertaining to Federal and State disaster documents, including applications with the State of California Office of Emergency (Cal OES) and Federal Emergency Management Agency (FEMA) on behalf of the City of Malibu.

FISCAL IMPACT: There is no fiscal impact associated with this action. Staff estimates that costs associated with the Federal and State declared disaster will total approximately \$500,000. Reimbursable costs include overtime for staff working on Emergency Operations Center (EOC) related functions, purchases of emergency supplies, disinfection of public facilities and other EOC related expenses. If reimbursement by FEMA or OES is approved, FEMA will reimburse the City for 75% of the approved costs and OES will reimburse the City 18.75% and the remaining 6.25% will be the City's cost share. To date, the City has spent approximately \$75,000. At this time, it is unknown how long the threat of COVID-19 will continue and how long the City's EOC will need to be activated and providing services.

WORK PLAN: This item was not included in the Adopted Work Plan for Fiscal Year 2019-2020. This task is part of emergency operations.

DISCUSSION: On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health all declared a local and public health emergency in response to increased spread of COVID-19 across the country and in Los Angeles County. The President of the United States declared a major disaster for California for the COVID-19 pandemic on March 22, 2022.

The City activated its EOC on March 12, 2020. The City's Director of Emergency Services, in accordance with Malibu Municipal Code Section 2.52.060, proclaimed the existence of a local emergency on March 14, 2020. On March 16, the City Council adopted resolution 20-14 ratifying the Director's Proclamation of Existence of a Local Emergency issued on March 14, 2020. The City's EOC continues to operate 7 days a week.

The President's major disaster declaration allows FEMA to "assist state, local, tribal, territorial governments and other eligible entities with the health and safety actions they take on behalf of the American public." To be eligible to recover costs, there are certain steps that local government agencies must take.

For the City to be eligible to receive cost reimbursement from FEMA and Cal OES, the City must submit a "Designation of Applicant's Agent Resolution for Non-State Agencies" (Cal OES Form 130). This form is a resolution adopted by City Council designating the officials who will act on the agency's behalf in submitting for reimbursements. The resolution is a standard form that Cal OES provides. The Form remains in place for 3 years. The City Council adopted Resolution No. 17-14 on April 24, 2017, in order to be eligible to receive Federal and State funding to assist in the costs incurred by the 2017 major winter storms. The Woolsey Fire occurred within the 3-year timeframe.

At this time, the City Council must adopt a new resolution designating the officials who will act on the agency's behalf in submitting for reimbursements in order to maintain its eligibility for FEMA and Cal OES reimbursements. Resolution No. 20-16 authorizes the City Manager, the Assistant City Manager and the Public Works Director to execute documents pertaining to Federal and State disaster documents, including applications with the State of California Office of Emergency (Cal OES) and Federal Emergency Management Agency (FEMA) on behalf of the City of Malibu.

ATTACHMENT: Resolution No. 20-16

RESOLUTION NO. 20-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MALIBU
AUTHORIZING STAFF TO EXECUTE CERTAIN FEDERAL AND STATE
DISASTER DOCUMENTS ON BEHALF OF THE CITY

The City Council of the City of Malibu does hereby find, order and resolve as follows:

SECTION 1. Recitals.

- A. On April 24, 2017, the City Council adopted a resolution authorizing staff to execute certain federal and state disaster documents on behalf of the City.
- B. On March 4, 2020, California Governor Gavin Newsom declared a State of Emergency in response to the increased spread of COVID-19. Additionally, on March 4, 2020, the Los Angeles County Board of Supervisors and the Department of Public Health all declared a local and public health emergency in response to increased spread of COVID-19 across the country and in Los Angeles County.
- C. On March 22, 2020, the President of the United States declared a major disaster for California for the COVID-19 pandemic.
- D. 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.

SECTION 2. The City Council does hereby adopt the above recitals and resolve that the City Manager, the Assistant City Manager, and the Public Works Director are authorized to execute for and on behalf of the City of Malibu, a public entity established under the laws of the State of California, such applications and file in 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.

The City of Malibu, a public entity established under the laws of the State of California, hereby authorizes its agents(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.

SECTION 3. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, and ADOPTED this 13th day of April 2020.

KAREN FARRER, Mayor

ATTEST:

HEATHER GLASER, City Clerk
(seal)

APPROVED AS TO FORM:

THIS DOCUMENT HAS BEEN REVIEWED
BY THE CITY ATTORNEY'S OFFICE
CHRISTI HOGIN, City Attorney