

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN JOSE DESIGNATING OFFICIALS AUTHORIZED TO
APPLY FOR DISASTER ASSISTANCE**

WHEREAS, on March 17, 2020, the City Council of the City of San José (“City”) adopted Resolution No. 79435 designating by title the City Manager, the Assistant City Manager and the Director of Finance as the City’s designated agents for applying for 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, and making assurances required in order to obtain such assistance; and

WHEREAS, the California Office of Emergency Services (“Cal OES”) requires the designation of the City’s authorized applicants be updated every three years and limits the designation to three officials; and

WHEREAS, by its terms, Resolution No. 79435 expires on March 17, 2023; and

WHEREAS, in order to apply for federal or state disaster financial assistance, the City must adopt an updated resolution and file it with Cal OES; and

WHEREAS, the City desires to continue to designate by title the City Manager, the Assistant City Manager, and the Director of Finance as the City’s designated agents for applying for federal and state disaster financial assistance, and making the assurances required to obtain such assistance;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
SAN JOSE THAT:

1. The following agents are hereby authorized to execute for and on behalf of the City of San José (Cal OES ID No: 085-68000), a public entity established under the laws of the State of California, the City's application for disaster relief, and to file it with the California 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:

City Manager
Assistant City Manager
Director of Finance

2. The City of San José, a public entity established under the laws of the State of California, hereby authorizes its agents to provide to the California Office of Emergency Services for all matters pertaining to such state disaster assistance and assurances and agreements required.
3. This is a universal resolution and is effective for all open and future disasters up to three (3) years following the date of adoption below.
4. The City Clerk is authorized to certify that this is a true and correct copy of a Resolution passed and approved by the City Council of the City of San José and to execute the California Office of Emergency Services Designation of Applicant's Agent Resolution form attached to this Resolution as Exhibit A and to make such modifications to such form as requested by the California Office of Emergency Services, consistent with the term of this Resolution. The Director of Finance or her designees are hereby directed to submit a certified copy of this Resolution to the California Office of Emergency Services.

ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk



Cal OES ID No: _____

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

BE IT RESOLVED BY THE City Council OF THE City of San Jose
(Governing Body) (Name of Applicant)

THAT City Manager, OR
(Title of Authorized Agent)

Assistant City Manager, OR
(Title of Authorized Agent)

Director of Finance
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the City of San Jose,
(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 City of San Jose,
(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): _____

Passed and approved this 14 day of March, 2023

Matt Mahan, Mayor

(Name and Title of Governing Body Representative)

Rosemary Kamei, Vice Mayor

(Name and Title of Governing Body Representative)

Sergio Jimenez, Councilmember

(Name and Title of Governing Body Representative)

CERTIFICATION

I, **Toni Taber**, duly appointed and **City Clerk** of
(Name) (Title)

City of San Jose, do hereby certify that the above is a true and
(Name of Applicant)

correct copy of a resolution passed and approved by the **City Council**
(Governing Body)

of the **City of San Jose** on the 14th day of March, 2023.
(Name of Applicant)

City Clerk

(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."