



**SPECIAL MEETING
CLAYTON CITY COUNCIL**

TUESDAY, MAY 12, 2020

5:15 p.m.

***** NEW LOCATION*****

To protect our residents, officials, and staff, and aligned with the Governor's executive order to Shelter-at-Home, this meeting is being conducted utilizing teleconferencing means consistent with State order that that allows the public to address the local legislative body electronically.

**Mayor: Julie Pierce
Vice Mayor: Jeff Wan**

Council Members

Tuija Catalano
Jim Diaz
Carl Wolfe

*Pursuant to CA Government Code Sections 54957 and 54957.6 and upon order of Mayor Julie Pierce, a special meeting is called for **May 12, 2020 at 5:15 p.m.** for the purpose of a Closed Session on the following matter:*

1). Public Employment Performance Evaluation (Gov. Code 54957)

Title: City Manager

Signed: 
Julie Pierce, Mayor

Date: 5-7-2020

- Agendas are posted at: 1) City Hall, 6000 Heritage Trail; 2) Clayton Library, 6125 Clayton Road; 3) Ohm's Bulletin Board, 1028 Diablo Street; and 4) www.ci.clayton.ca.us
- If one has a physical impairment that requires special accommodations to participate, please call the City Clerk's Office at least 72 hours in advance of the meeting at 925.673-7300.

Instructions for Virtual City Council Meeting – May 12

To protect our residents, officials, and staff, and aligned with the Governor's executive order to Shelter-at-Home, this meeting is being conducted utilizing teleconferencing means consistent with State order that that allows the public to address the local legislative body electronically.

To follow or participate in the meeting:

1. **Videoconference:** to follow the meeting on-line, click here to register:

<https://us02web.zoom.us/j/83914253167>

After clicking on the URL, please take a few seconds to submit your first and last name, and e-mail address then click "Register", which will approve your registration and a new URL to join the meeting will appear.

2. **Phone-in:** Once registered, you will receive an e-mail with instructions to join the meeting telephonically, and then dial (888) 475-4499 using the *Webinar ID* and *Password* found in the e-mail. For those who choose to attend the meeting via videoconferencing or telephone shall have 3 minutes for public comments.

Location:

Videoconferencing Meeting (this meeting via teleconferencing is open to the public)

To join this virtual meeting on-line click here:

<https://us02web.zoom.us/j/83914253167>

To join on telephone, you must register in the URL above, which sends an e-mail to your inbox, and then dial (888) 475-4499 using the *Webinar ID* and *Password* found in the e-mail.

1. **CALL TO ORDER AND ROLL CALL** – Mayor Julie Pierce.
2. **PUBLIC COMMENT PERIOD**
3. **CONSENT ITEM**
 - (a) Approval of California Office of Emergency Services (CalOES) Form 130 and Adopting a Resolution Designating Agents Necessary to Provide for All Matters Pertaining to State and Federal Emergency Management Agency (FEMA) Reimbursements. (City Manager)
[\(View Here\)](#)
4. **CLOSED SESSION**
 1. Public Employee Performance Evaluation
Government Code section 54957
Title: City Manager
5. **ADJOURNMENT** – The next regularly scheduled City Council meeting is May 19, 2020.

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AGENDA REPORT

TO: HONORABLE MAYOR AND COUNCIL MEMBERS

FROM: Ikani Taumoepeau, City Manager

DATE: May 12, 2020

SUBJECT: Approval of California Office of Emergency Services (CalOES) Form 130 and Adopting a Resolution Designating Agents Necessary to Provide for All Matters Pertaining to State and Federal Emergency Management Agency (FEMA) Reimbursements

RECOMMENDATION

Adopt the resolution approving the California Office of Emergency Services (CalOES) Form 130 and designate the indicated agents to provide for all matters pertaining to State and Federal Emergency Management Agency (FEMA) reimbursements.

BACKGROUND

The City Council will consider approving the CalOES Form 130, designating the City Manager, Finance Director, and Assistant to the City Manager as agents necessary to provide for all matters pertaining to State and Federal Emergency Management Agency (FEMA) reimbursements. The Resolution will remain in effect for all open and future disasters up to three (3) years following the date of approval.

Under Federal Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and state law under the California Disaster Assistance Act, City staff must present a resolution before Council periodically to maintain a current list of authorized agents/signers on file at CalOES.

FISCAL IMPACT

There is no immediate financial impact associated with approving the Resolution, however approval of CalOES Form 130 is required for the City to obtain certain disaster cost reimbursements.

Attachment:

- Resolution Approving the CalOES Form 130
- Exhibit A to the Resolution

CITY RESOLUTION NO. - 2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLAYTON DESIGNATING THE CITY MANAGER, FINANCE DIRECTOR, AND THE ASSISTANT TO CITY MANAGER ON BEHALF OF THE CITY, TO BE THE AUTHORIZED AGENT TO ENGAGE WITH THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE GOVERNOR'S OFFICE OF EMERGENCY SERVICES REGARDING GRANTS APPLIED FOR BY THE CITY OF CLAYTON

**THE CITY COUNCIL
City of Clayton, California**

WHEREAS, the County issued an order dated March 16, 2020 directing all individuals living within the County to shelter at their place, directing all businesses and governmental agencies to cease non-essential operations, and prohibiting all non-essential gatherings of any number of individuals, and ordering cessation of all non-essential travel; and

WHEREAS, the City Council proclaimed and ratified a local emergency within the City of Clayton regarding Novel Corona Virus (COVID-19) on March 17, 2020, which was extended on May 5, 2020; and

WHEREAS, in order for the City to be eligible for future reimbursement from the Federal or State government for costs incurred from the current COVID-19 emergency, the City Council must approve a CalOES Form 130 – Designation of Applicant's Resolution for Non-State Agencies (Form 130) authorizing certain positions to apply for public assistance and recover funding and behalf of the City.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Clayton does hereby approve the CalOES Form 130 – Designation of Applicant's Agency Resolution for Non-State Agencies (Form 130), as attached hereto as Exhibit A to this Resolution.

BE IT FURTHER RESOLVED the City Council designates the City Manager, Finance Director, and Assistant To The City Manager as authorized agents to obtain 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, for a period not to exceed three years.

PASSED, APPROVED AND ADOPTED this 12th day of May, 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

THE CITY COUNCIL OF CLAYTON, CA

Julie Pierce, Mayor

ATTEST:

Janet Calderon, City Clerk

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

BE IT RESOLVED BY THE _____ OF THE _____
(Governing Body) (Name of Applicant)

THAT _____, OR
(Title of Authorized Agent)

_____, OR
(Title of Authorized Agent)

(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the _____, 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 _____, 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 _____ day of _____, 20 _____

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

(Name and Title of Governing Body Representative)

CERTIFICATION

I, _____, duly appointed and _____ of
(Name) (Title)

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

Resolution passed and approved by the _____ of the _____
(Governing Body) (Name of Applicant)

on the _____ day of _____, 20 _____.

(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 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.")