



Agenda Item No. (5)(a)

To: Finance-Auditing Committee/Committee of the Whole
Meeting of January 26, 2023

From: Chi Chow, Transit Asset Management Project Manager
Amy Frye, Director of Capital and Grant Programs
Kelli Vitale, Director Risk Management and Safety
Joseph M. Wire, Auditor-Controller
Denis J. Mulligan, General Manager

Subject: **AUTHORIZE ACTIONS RELATED TO GRANT PROGRAMS**
(a) APPROVE ACTIONS RELATIVE TO FEDERAL AND STATE DISASTER ASSISTANCE

Recommendation

The Finance-Auditing Committee recommends that the Board of Directors approve the following actions relative to the Golden Gate Bridge, Highway and Transportation District's (District) application for federal and state disaster financial assistance under Public Law 93-288:

1. Designate the General Manager, Director of Risk Management and Safety and Director of Capital and Grant Programs or designee(s) to submit and file Public Assistance applications with the Federal Emergency Management Agency (FEMA) and the California Governor's Office of Emergency Services (Cal OES) for Federal and State disaster financial assistance as the Authorized Agents; and,
2. That the Designations will be effective for three years as authorized by Cal OES.

This matter will be presented to the Board of Directors at its January 27, 2023, meeting for appropriate action.

Summary

The District is eligible as a State Special District to apply for and receive Federal and State disaster financial assistance (Public Assistance) for eligible costs and losses as authorized under Public Law 93-288, as amended by the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, and/or the California Disaster Assistance Act.

The District previously applied for disaster cost recovery from FEMA and Cal OES for the landslide precipitated by the 2017 winter storms. On March 23, 2018, the Board of Directors

approved Resolution No. 2018-024, which authorized the Finance Committee to receive disaster assistance on behalf of the District and designated the District's Authorized Agents. Today, this resolution needs to be renewed.

In March 2020, staff began seeking reimbursement for COVID pandemic-related costs. A total of seven streamlined FEMA project applications worth \$1.1 million have been submitted for disaster financial assistance. Four of the seven projects had reached obligated awards by July 2022. The four awards totaling \$250,199 cover personal protective equipment and overtime labor for COVID disinfection and sanitation activities. FEMA's review of the remaining \$850,826 is pending processing and evaluation by Consolidated Resource Centers (CRC) specialists and the Program Delivery Manager (PDMG). Staff recommends renewing the Board Resolution designating the District's Authorized Agents.

Cal OES requires that agencies submit the following documents to receive reimbursements of COVID-eligible costs:

- Project Assurances for Federal Assistance (Form Cal OES 89) and the Designation of Applicant's Agent Resolution for Non-State Agencies (Form Cal OES 130) that specify who can sign the project certification and receive funds on behalf of the District.
- A Board-approved resolution designating the Authorized Agents. Resolutions are valid for three years.

Fiscal Impact

Although this action has no direct fiscal impact, it will assist the District in seeking state and federal disaster assistance - now and in the future. FEMA Public Assistance (PA) is one of the largest grant programs providing funds to communities responding and recovering after major disasters. A declaration of emergency by the Governor's Office can provide funds for temporary relief, property protection, and infrastructure restoration.

Grants are awarded based on the type of applicants' work. The work must be needed because of the declared incident, must be performed in the designated area, and be reasonable. Emergency work includes debris removal and protection. Permanent work includes roads, bridges, water control facilities, public buildings with contents, utilities, and other facilities.

During the COVID pandemic, the District incurred approximately \$1.1 million in additional costs to ensure safe and reliable bus, ferry, and bridge services. FEMA's project applications will cover a significant share of COVID disinfection and sanitation for more than 157 buses, seven vessels, and more than one hundred bus, ferry, and bridge facilities and provide personal protective equipment to over nine hundred employees.

Attachment: Designation of Applicant's Authorized Agent Resolution for Non-State Agencies

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

BE IT RESOLVED BY THE Board of Directors OF THE Golden Gate Bridge, Highway & Transportation District
(Governing Body) (Name of Applicant)

THAT General Manager, OR
(Title of Authorized Agent)

Director, Capital and Grant Programs, OR
(Title of Authorized Agent)

Director, Risk Management & Safety
(Title of Authorized Agent)

is hereby authorized to execute for and on behalf of the Golden Gate Bridge, Highway & Transportation District, 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 Golden Gate Bridge, Highway & Transportation District, 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 27th day of January, 2023

Michael Theriault, President
(Name and Title of Governing Body Representative)

Gerald D. Cochran, First Vice President
(Name and Title of Governing Body Representative)

Elbert Hill, Second Vice President
(Name and Title of Governing Body Representative)

CERTIFICATION

I, Amorette Ko-Wong, duly appointed and Secretary of District of
(Name) (Title)

Golden Gate Bridge, Highway & Transportation District, do hereby certify that the above is a true and correct copy of a
(Name of Applicant)

Resolution passed and approved by the Board of Directors of the Golden Gate Bridge, Highway & Transportation District
(Governing Body) (Name of Applicant)

on the 27th day of January, 2023.

(Signature)

Secretary of District
(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.")