

Heber Public Utility District REPORT TO THE BOARD OF DIRECTORS

MEETING DATE: April 10, 2025

FROM: Madeline Dessert, General Manager

SUBJECT: Discussion/Action to Ratify Resolution No. 2025-03

ISSUE:

Shall the Heber Public Utility Board of Directors Ratify Resolution No. 2025-03?

GENERAL MANAGER RECOMMENDATION:

It is recommended that the Heber Public Utility Board of Directors Ratify Resolution No. 2025-03.

FISCAL IMPACT:

No fiscal impact

DISCUSSION:

Heber Public Utility District staff submitted a claim to the Federal Public Assistance Program (FEMA) for damages caused by Hurricane Hillary. Our claim was obligated July 26, 2024. After obligation, the claim was transferred from FEMA to the California Governor's Office of Emergency Services (Cal OES) for distribution. Cal OES requires a Resolution from this Board, designating an authorized agent to execute applications and related documents for the purpose of obtaining federal financial assistance for any existing or future grant programs. Attached Resolution will satisfy this reequipment allowing Cal EOC to release our obligated funding.

CONCLUSION:

It is recommended the Heber Public Utility Board of Directors Ratify Resolution No. 2025-03.

Respectfully Submitted,

Madeline Dessert, General Manager

Attachments: Resolution No 2025-03

RESOLUTION NO. 2025-03
A RESOLUTION OF THE HEBER PUBLIC
UTILITY DISTRICT RATIFYING THE
DESIGNATION OF APPLICANT'S AGENT
RESOLUTION FOR NON-STATE AGENCIES

WHEREAS, the Heber Public Utility District (HPUD) is a public entity established under the laws of the State of California; and

WHEREAS, the Heber Public Utility District is eligible to apply for and receive federal financial assistance through various grant programs administered by the California Governor's Office of Emergency Services (Cal OES); and

WHEREAS, it is necessary for HPUD to designate an authorized agent to execute applications and related documents for the purpose of obtaining federal financial assistance for any existing or future grant programs, including, but not limited to, the following:

- Federal Emergency Management Agency (FEMA) Public Assistance Program
- Hazard Mitigation Grant Program (HMGP)
- Pre-Disaster Mitigation (PDM) Program
- Building Resilient Infrastructure and Communities (BRIC) Program
- Any other federal or state grant programs administered by Cal OES

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Heber Public Utility District that the General Manager is hereby authorized and directed to execute for and on behalf of the Heber Public Utility District all applications and related documents necessary to obtain and manage financial assistance from Cal OES and federal grant programs.

BE IT FURTHER RESOLVED that this authorization shall remain in effect for a period of three (3) years unless modified or rescinded by further resolution of the Board of Directors.

PASSED AND ADOPTED:

AYES:

NOES:

ABSENT:

ABSTAIN:

By: _____
Helen Diaz-Molina,
President of the Board

ATTEST:

By: _____
Jacob Bermudez,
Clerk of the Board

APPROVED AS TO FORM:

By: _____
Steve Walker,
General Counsel

State of California)
County of Imperial)
Heber Public Utility)
District)

I, Jacob Bermudez Clerk of the Board of the Heber Public Utility District, County of Imperial, State of California, DO HEREBY CERTIFY that the foregoing resolution was dully passed, approved and adopted by the Board of Directors of the Heber Public Utility District at its regular scheduled meeting held on the 10th day of April, 2025.

By: _____
Jacob Bermudez,
Clerk of the Board



Cal OES ID No: _____

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 _____,
 (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 _____, a public entity established under the
 (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 ___ 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
 (Name of Applicant)

correct copy of a resolution passed and approved by the _____
 (Governing Body)

of the _____ on the _____ day of _____, 20__.
 (Name of Applicant)

 (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."