

DEPARTMENT: Public Works

By: Michael Edwards
Public Works Director

Phone: 966-5356

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes__ No X)

Adopt the attached resolution authorizing designation of the following people as agents of the Office of Emergency Services (OES) to obtain disaster relief for storm damage to County roads:

Robert A. Johnson, Deputy Director of Roads
Judy Mangan, Engineering Technician II
David L. Tucker, Senior Civil Engineer

These people will be involved in gathering and preparing data for submittal to the OES for financial assistance.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board took similar action in 1990 for the Arch Rock fire disaster assistance.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No action. We will be unable to file the necessary paperwork for financial assistance using County staff who are involved in the damage assessments.

COSTS:	<input checked="" type="checkbox"/> Not Applicable	
A. Budgeted current FY		\$ _____
B. Total anticipated costs		\$ _____
C. Required additional funding		\$ _____
D. Internal transfers		\$ _____
SOURCE: <input type="checkbox"/> 4/5th Vote Required		
A. Unanticipated revenues		\$ _____
B. Reserve for contingencies		\$ _____
C. Source description:	_____	
Balance in Reserve Contingencies, if approved: \$ _____		

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

1. Proposed Resolution _____

CLERK'S USE ONLY

Res. No.: 95-134 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended


Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: 

MARIPOSA COUNTY RESOLUTION NO. 95-134

**DESIGNATION OF
APPLICANT'S AGENT RESOLUTION**

BE IT RESOLVED BY THE Board of Supervisors of Mariposa County

THAT Robert A. Johnson, Deputy Director, Roads
OR
Judy S. Mangan, Engineering Technician II
OR
David L. Tucker, Senior Civil Engineer

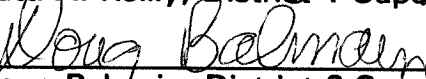
is hereby authorized to execute for and in behalf of Mariposa County, a public entity established under the laws of the State of California, this application and to file it in the Office of Emergency Services for the purpose of obtaining certain federal financial assistance under P.L. 93-288 as amended by the Robert T. Stafford Disaster Relief and Emergency Relief and Emergency Assistance Act of 1988, and/or state financial assistance under the Natural Disaster Assistance Act for 1046 CA Storm, which occurred in March, 1995.

THAT Mariposa County, a public entity established under the laws of the State of California, hereby authorizes its agent to provide to the State Office of emergency services for all matters pertaining to such state disaster assistance the assurances and agreements required.

Passed and approved this 4th day of April, 1995



Patti A. Reilly, District 1 Supervisor




Doug Balmain, District 2 Supervisor



Robert C. Stewart, District 3 Supervisor



Garry R. Parker, District 4 Supervisor



Gertrude Taber, District 5 Supervisor

CERTIFICATION

I, _____, duly appointed and _____ of
Mariposa County, do hereby certify that the above is a true and correct copy of a resolution
passed and approved by the Board of Supervisors of Mariposa County on the _____ day of
_____, 1995.

Date: _____

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OR
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Robert C. Stewart, District 3 Supervisor

Garry R. Parker
Garry R. Parker, District 4 Supervisor

GERTRUDE R. TABER
Gertrude Taber, District 5 Supervisor

CERTIFICATION

I, MARGIE WILLIAMS, duly appointed and Clerk of the Board of Mariposa County, do hereby certify that the above is a true and correct copy of a resolution passed and approved by the Board of Supervisors of Mariposa County on the 4th day of April, 1995. (Gertrude R. Taber, District 5 Supervisor, voted in support of the foregoing Resolution (No. 95-134); however, was out-of-town and unable to sign at time of processing.)

Date: April 12, 1995

MARGIE WILLIAMS, Clerk of the
Board of Supervisors

By: Janet Bibby
JANET BIBBY, Deputy Clerk of the
Board of Supervisors

PROJECT APPLICATION FOR FEDERAL ASSISTANCE

Subgrantee's Name: Mariposa County Organization Unit: Public Works
(Name of Organization) (Department/Agency - if Applicable)

Street/P.O. Box: 4639 Ben Hur Road City/State: Mariposa, CA

County: Mariposa Zip Code: 95338 Telephone: (209) 966-5356

Authorized Agent: Robert Johnson Title: Deputy Director/Roads

ASSURANCES - CONSTRUCTION PROGRAMS

Note: Certain of these assurance may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.


As the duly authorized representative of the applicant I certify that the subgrantee named above:

1. Has the legal authority to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the state, through an authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standard or agency directives.
3. Will not dispose of, modify the use of, or change the terms of the real property title, or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal interest in the title of real property in accordance with awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project.
4. Will comply with the requirements of the assistance awarding agency with regard to the drafting, review and approval of construction plans and specifications.
5. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progress reports and such other information as may be required by the assistance awarding agency or state.
6. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
7. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gains.
8. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
9. Will comply with all federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1683 and 1685-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794) which prohibit discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (4 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 93-255) as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616) as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made, and (j) the requirements on any other nondiscrimination statute(s) which may apply to the application.

Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal and federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchases.

11. Will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$5,000 or more.
12. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.O. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.O. 93-205).
13. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
14. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and preservation of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq).
15. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
16. Will comply with all applicable requirements of all other federal laws, Executive Orders, regulations and policies governing this program.
17. Has requested through the State of California, federal financial assistance to be used to perform eligible work approved in the subgrantee application for federal assistance. Will, after the receipt of federal financial assistance, through the State of California, agree to the following:
 - a. The state warrant covering federal financial assistance will be deposited in a special and separate account, and will be used to pay only eligible costs for project described above;
 - b. To return to the State of California such part of the funds so reimbursed pursuant to the above numbered application which are excess to the approved, actual expenditures as accepted by final audit of the federal government or the State Controller, or both.
 - c. In the event the approved amount of the above numbered project application is reduced, the reimbursement applicable to the amount of the reduction will be promptly refunded to the State of California.

The undersigned represents that he is authorized by the above named subgrantee to enter into this agreement for and on behalf of the said subgrantee.


SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL

CHAIRMAN, MARIPOSA COUNTY BOARD OF SUPERVISORS
TITLE

April 13, 1995
DATE