

**CITY OF GAUTIER  
MEMORANDUM**

**To:** Samantha Abell, City Manager  
**From:** Patty Huffman, Grants & Projects Manager <sup>PA</sup>  
**Through:** Eric Meyer, Economic Development and Planning Director  
**Date:** September 10, 2012  
**Subject:** Authorization of Applicant's Agent for Hurricane Isaac

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**REQUEST:**

The Economic Development and Planning Department requests that the City of Gautier authorize Patty Huffman, Grants & Projects Manager, to serve as the Applicant's Agent for the City of Gautier for the federal disaster- Hurricane Isaac.

**BACKGROUND:**

Each city or county included in a Presidential disaster declaration under Public Law 93-228 and Public Law 100-707 may be eligible for federal assistance to repair or replace damaged public facilities. When the disaster is declared, each local government must designate an Applicant's Agent who will be authorized by the City Council to represent the city with federal and state agencies managing these public assistance programs. The Agent will be the contact person for federal and state agencies dealing with the disaster programs and will be responsible for managing federal funds, for following state and local bid and contract procedures, for maintaining auditable records, and for ensuring that all work is accomplished before completion dates are reached. Mrs. Huffman has previously served as the Applicant's Agent for Hurricane Gustav and Hurricane Katrina.

The designation must be made by the action of the full City Council and must be recorded in the official record.

**RECOMMENDATION:**

City staff recommends that Patty Huffman, Grants & Projects Manager, be designated as the Applicant's Agent for the City of Gautier for Hurricane Isaac.

**ATTACHMENT(S):**

Designation of Applicant Agent (MEMA Form PA-1)  
Local Applicant's Agent Job Description  
State-Local Disaster Assistance Agreement

DESIGNATION OF APPLICANT AGENT

BE IT RESOLVED BY: Mayor & Council OF: City of Gautier  
Governing Body City, County, Other Entity

THAT Patty Huffman, Grants and Projects Mgr.  
Name of Designated Agent Official Position

ADDRESS: 3330 Hwy. 90, TELEPHONE (W) 228.219.8016 (H) \_\_\_\_\_  
Gautier, MS 39553

Is hereby authorized to execute for and in behalf of City of Gautier, MS  
City, County, Other Entity

a public entity established under the laws of the State of Mississippi, applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93-228), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707) and to file them with the Governor's Authorized Representative.

PASSED AND APPROVED THIS 18th DAY OF September 2012

Mayor Tommy Fortenberry  
Name and Title

Councilman Ward 3/Gordon Gollott  
Name and Title

Councilman Ward 1/ Johnny Jones  
Name and Title

Councilman Ward 4/ Scott Macfarland  
Name and Title

Councilman Ward 2/ Hurley Ray Guillotte  
Name and Title

Councilwoman At Large/ Mary Martin  
Name and Title

Councilman Ward 5/ Adam Colledge

CERTIFICATION

I, Teresa Montgomery, duly appointed Interim City Clerk  
Title

of the City of Gautier, MS, do hereby certify that the above is a true and

correct copy of a resolution passed and approved by the Mayor & City Council  
Governing Body

of the City of Gautier on the 18th day of September, 2012

September 19, 2012  
DATE

\_\_\_\_\_  
SIGNATURE

## LOCAL APPLICANT'S AGENT

Each city or county included in a Presidential disaster declaration under Public Law 93-228 and Public Law 100-707 may be eligible for federal assistance to repair or replace damaged public facilities (such as debris removal, evacuation, sand bagging, etc.). When this happens, the local government must designate an Applicant's Agent who will be authorized by the City Council/Board of Supervisors to represent the city or county with federal and state agencies managing these public assistance programs.

Much of the work of an Applicant's Agent will start as soon as the disaster occurs. To save time in the first few days following a disaster, MEMA recommends that the Applicant's Agent be designated BEFOREHAND. By doing this, the city or county will give the person selected a chance to become familiar with these programs and to establish local procedures and systems before the disaster occurs.

The City Council/County Board should be particularly selective in naming an Applicant Agent. The designation must be made by the action of the full body and should be recorded in the official record as any other ordinance or resolution would be. The City Council/County Board should carefully select a person who is able to perform the duties that will be assigned.

The person selected must also be able to spend the major amount of time required to do the job. Once the Applicant's Agent is selected the City Council or County Board must give their support and help.

In simplest terms, the Applicant's Agent will represent the local government in managing the city or county applications for federal disaster assistance funds. The agent will be the contact person for Federal and State agencies dealing with the disaster programs. This person will be responsible for managing federal funds provided for the community, for following state and local bid and contract procedures, for maintaining auditable records and for seeing that all work is accomplished before the completion dates are reached.

The position of Applicant's Agent is highly responsible and requires a good deal of time and strong managerial skills. The person selected must have the full confidence of the City Council/County Board and must be given sufficient authority to take the steps required under Federal regulations.

Some counties have appointed the Chancery Clerk, County Administrator, County Engineer, or Emergency Management Director, City Manager or others. The choice is entirely up to the governing body.

**STATE OF MISSISSIPPI  
MISSISSIPPI EMERGENCY MANAGEMENT AGENCY**

**STATE-LOCAL DISASTER ASSISTANCE AGREEMENT**

**DISASTER:** Hurricane Isaac

**APPLICANT ID NO:** \_\_\_\_\_

**APPLICANT NAME:** Patty Huffman

This Agreement is between the State of Mississippi, Mississippi Emergency Management Agency and the undersigned State Agency and political subdivision of the State, private nonprofit organizations or authorized tribal organizations. This Agreement shall be effective on the date signed by the State and Applicant. It shall apply to all assistance funds provided by or through the State to the Applicant as a result of the above-referred disaster.

The designated representative of the Applicant certifies that:

1. The representative has legal authority to apply for assistance on behalf of the Applicant.
2. The Applicant will provide all necessary financial and managerial resources to meet the terms and conditions of receiving federal and state disaster assistance.
3. The Applicant will use disaster assistance funds solely for the purpose for which these funds are provided and as approved by the Governor's Authorized Representative.
4. The Applicant is aware of and shall comply with cost-sharing requirements for Federal and State assistance. While the cost share is subject to change depending on the severity of a disaster, the minimum Federal cost share is 75 percent of the eligible costs. The normal cost share is 75% Federal and the non-federal share is split equally by the State and local. The exception is with PNPs who are responsible for the entire 25% non-federal share.
5. The Applicant is aware that limited funding, which requires cost sharing, may be made available for mitigation of future damages.
6. The Applicant will establish and maintain a proper accounting system to record revenues and expenditures of disaster assistance funds in accordance with generally accepted accounting standards and OMB circulars A-87, A-102, A-110, A-122, A-128, and A-133 as applicable and/or as directed by the Governor's Authorized Representative.
7. The Applicant shall provide Quarterly Reports to the State which indicate the anticipated completion date for each project, together with any other circumstances that may affect the completion date, the scope of work, the project costs, or any other factor that may affect compliance of this Agreement.
8. The Applicant shall comply with the Single Audit Act of 1984 and will provide copies of audit reports when issued, 44CFR Part 14. All audit reports should be forwarded to the Governor's Authorized Representative, Attention: Public Assistance.
9. The Applicant will give state and federal agencies designated by the Governor's Authorized Representative, access to and the right to examine all records and documents related to use of disaster assistance funds.
10. The Applicant will return to the State, within thirty (30) days of such request by the Governor's Authorized Representative, any advance funds which are not supported by audit or other federal or state review of documentation maintained by the Applicant.
11. The Applicant will comply with all applicable codes and standards in completion of eligible repair or replacement of damaged public facilities.

12. The Applicant will comply with all applicable provisions of federal and state law and regulation in regard to procurement of goods and services and to contract for repair or restoration of public facilities.
13. The Applicant will begin and complete all items of work within the time limits established by the Governor's Authorized Representative in agreement with all applicable Federal regulations.
14. The Applicant will comply with regulations implementing the Drug-Free Workplace Act of 1988, 44 CFR Part 17, Subpart F.
15. The Applicant will comply with all federal and state statues and regulations relating to nondiscrimination.
16. The Applicant will comply with provisions of the Hatch Act limiting the political activities of public employees and 44CFR Part 18, New Restrictions on Lobbying.
17. The Applicant will comply, as applicable, with provisions of the Davis-Bacon Act relating to labor standards.
18. The Applicant will comply with the flood insurance purchase requirements of the Flood Disaster Protection Act of 1973 which may require purchase of flood insurance.
19. The Applicant will not enter into cost-plus-percentage-of-cost contracts for completion of disaster restoration or repair work.
20. The Applicant will not enter into contracts for which payment is contingent upon receipt of state or federal disaster funds.
21. The Applicant will not enter into any contract with any party which is debarred or suspended from participation in federal assistance programs.
22. The applicant will return all unspent federal funds for uncompleted small projects prior to requesting additional funds for other projects.
23. The Applicant authorizes the Governor's Authorized Representative to recoup the unspent funds referenced in item 22 above, by subtracting that amount from other federal funds owed to it for another approved work when the amount owed is larger than the refund.
24. The Applicant will comply with all uniform administrative requirements which are set forth in the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended by Public Law 100-107, and implemented by 44CFR Part 206.
25. The applicant will provide copies of every audit report issued on the entity at the time of its receipt by the entity to the State.

**Signed for the Applicant (Certifying Representative):**

<i>Patty Huffman</i>		<i>09-19-12</i>
NAME	SIGNATURE	DATE

**Signed for the State (Governor's Authorized Representative):**

ROBERT R. LATHAM, JR.		
NAME	SIGNATURE	DATE