

RESOLUTION NO. 3968-2016

RESOLUTION OF THE FORT BRAGG CITY COUNCIL DECLARING A LOCAL EMERGENCY RELATED TO DAMAGE TO THE NORTH FORT BRAGG WATER MAIN INCURRED AS A RESULT OF A WINTER STORM EVENT

WHEREAS, during the week of December 9-16, 2016, approximately 6.8 inches of rain fell on the coastal watersheds of Mendocino County, with 3.5 inches of rain falling on December 14-15, 2016; and

WHEREAS, during the night of December 15, 2016, the waters in Pudding Creek deposited debris that blocked the spillway of the Pudding Creek dam, a privately-owned facility located a short distance upstream from the Pudding Creek bridge on State Route 1 in the City of Fort Bragg; and

WHEREAS, as a result of the blockage, for a period of approximately 24 hours on December 15-16, 2016, floodwaters overtopped the Pudding Creek dam resulting in severe erosion of the earthen berms on either side of the concrete spillway; and

WHEREAS, the City of Fort Bragg has a 10-inch water main that is located on top of the Pudding Creek dam and, as a result of the erosion of the earthen dam, the water main was damaged and remains at risk of catastrophic failure; and

WHEREAS, the water main is an essential piece of public infrastructure necessary to provide water service and ensure adequate fire flows for Fort Bragg residents and businesses located north of Pudding Creek; and

WHEREAS, initial cost estimates prepared by the City's Department of Public Works for repair and relocation of the damaged water main amount to approximately \$1,500,000; and

WHEREAS, California Government Code section 8630 empowers the City Council of the City of Fort Bragg to proclaim the existence of a local emergency when the City is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this City; and

WHEREAS, California Government Code section 8558(c) states that a "local emergency" means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the City; and

WHEREAS, in accordance with California Government Code Section 8630, it is appropriate and necessary that the City Council of the City of Fort Bragg now proclaim that a local emergency exists in the City of Fort Bragg.

NOW, THEREFORE, BE IT RESOLVED AND PROCLAIMED that the City Council of the City of Fort Bragg does hereby:

- 1) Declare that a local emergency exists in the City of Fort Bragg due to damage to the North Fort Bragg water main as a result of a flood event that occurred on December 15-16, 2016 and said local emergency shall be deemed to continue to exist until the City Council of the City of Fort Bragg, State of California, proclaims its termination;

and

- 2) Request that funds be made available under the California Disaster Assistance Act, and that any other State or federal funding and assistance also be made available; and
- 3) Authorize that a copy of this Resolution be forwarded to the Director of the California Governor's Office of Emergency Services with a request that he find it acceptable in accordance with provisions of the California Disaster Assistance Act (Government Code Section 8680 *et seq.*); and
- 4) Authorize that a copy of this Resolution be forwarded to the Governor of California with the request that he proclaim the City of Fort Bragg to be in a state of emergency and that he make funds available under the California Disaster Assistance Act; and
- 5) Authorize that Linda Ruffing, having the titles of City Manager and Director of Emergency Services, is hereby designated as the authorized representative of the City of Fort Bragg for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available State and federal assistance; and

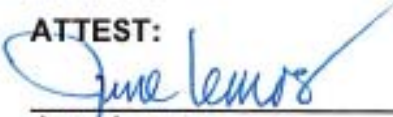
BE IT FURTHER RESOLVED that the City Council of the City of Fort Bragg will review the need for continuing the local emergency at least once every 30 days until the City Council terminates the local emergency; and

The above and foregoing Resolution was introduced by Councilmember Cimolino, seconded by Councilmember Turner, and passed and adopted at a special meeting of the City Council of the City of Fort Bragg held on the 21st day of December 2016, by the following vote:

AYES: Councilmembers Lee, Cimolino, Norvell, Turner and Mayor Peters.
NOES: None.
ABSENT: None.
ABSTAIN: None.
RECUSED: None.



LINDY PETERS
Mayor

ATTEST:


June Lemos
City Clerk