

RESOLUTION NUMBER: 6238-2019

CITY OF SEBASTOPOL

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEBASTOPOL PROCLAIMING THE TERMINATION OF THE EXISTENCE OF A LOCAL EMERGENCY CAUSED BY THE FLOOD OF FEBRUARY 2019 ISSUED BY THE DIRECTOR OF EMERGENCY SERVICES

WHEREAS, the California Emergency Services Act (California Government Code sections 8630, 8550 et seq.) empowers the City Council to designate by ordinance a local official with the power to proclaim the existence of a local emergency when the City Council is not in session so long as such proclamation is ratified by the City Council within seven days; and

WHEREAS, Section 2.36.050 of the Sebastopol Municipal Code identifies the Fire Chief as the Director of Emergency Services; and

WHEREAS, based on said flood event of February 2019, the Fire Chief, Acting as Director of Emergency Services, of the City of Sebastopol declared the existence of a local emergency within the City on February 27, 2019; and

WHEREAS, the City Council ratified that Proclamation on March 5, 2019, Exhibit A); and

WHEREAS, Section 8630 of the California Emergency Services Act requires that the City Council of the City of Sebastopol review, at least every 60 days until such local emergency is terminated, the need for continuing the local emergency; and

WHEREAS, the City Council of the City of Sebastopol has reviewed the need to terminate the existence of a local emergency; and

WHEREAS, the situation resulting from said conditions of extreme peril is no longer deemed to be beyond the control of normal protective services, personnel, equipment and facilities of and within said City of Sebastopol.

NOW, THEREFORE, BE IT RESOLVED that the City of Sebastopol does hereby proclaim the termination of the Existence of a Local Emergency; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take whatever other action is authorized under the Sebastopol Municipal Code and state and federal law, subject to authorization required from the City Council, consistent with this Resolution and its basic purposes.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 7th day of May, 2019, by the following vote:

**VOTE:**

Ayes: Councilmembers Carnacchi, Glass, Gurney and Vice Mayor Slayter  
Noes: None  
Abstain: None  
Absent: Mayor Hinton

APPROVED:

PHSLK

Vice Mayor Patrick Slayter

ATTEST:

Mary e Gourley

Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM:

[Signature]

Larry McLaughlin, City Attorney

**City Council**  
Mayor Naysa Hinton  
Vice Mayor Patrick Slayter  
Michael Camacchi  
Una Glass  
Sarah Glade Gurnay



**City Manager**  
Larry McLaughlin  
lmcLaughlin@cityofsebastopol.org  
**Assistant City Manager/City Clerk, MMC**  
Mary Gourley  
mgourley@cityofsebastopol.org

**City of Sebastopol**

**PROCLAMATION DECLARING THE EXISTENCE OF A LOCAL EMERGENCY**

**WHEREAS, Section 2.36.050 of the Sebastopol Municipal Code identifies the Fire Chief as the Director of Emergency Services; and**

**WHEREAS, Section 2.36.060 (a) of the Sebastopol Municipal Code empowers the Director of Emergency Services to:**

**1. Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session. Whenever a local emergency is proclaimed by the Director, the City Council shall take action to ratify the proclamation within seven days thereafter or the proclamation shall have no further force or effect.**

**WHEREAS the Director of Emergency Services of Sebastopol does hereby find:**

**That conditions of extreme peril to the safety of persons and property have arisen with the City, as a result of:**

- 1) The emergence and spread of flooding beginning on February 26, 2019 and ongoing through the City of Sebastopol; and**
- 2) The resulting destruction of public facilities and infrastructure, commercial buildings, and open space within the City of Sebastopol; and**
- 3) The displacement and required evacuation of more than 30 residents of the City of Sebastopol as well as surrounding areas of Sebastopol to shelters within the City of Sebastopol and County of Sonoma shelter (Santa Rosa Fairgrounds); and**
- 4) The required evacuation of over 50 residents and families, some of which are of limited means and disabilities from Park Village to shelters within the City of Sebastopol and County of Sonoma shelter (Santa Rosa Fairgrounds), including some residents that had to be evacuated by City personnel and vehicles/boats; and**
- 5) The closure of major roads and highways providing access to, from, and within the City of Sebastopol and surrounding areas; and**
- 6) The ongoing loss of electrical power within the City of Sebastopol due to the flooding; and**
- 7) The necessity of providing fire, police and City personnel that will exceed the capacity of our local agency for an unknown but extended period of time; and**

- 8) The necessity of providing shelter, food, and medical care to displaced persons and support personnel and volunteers for an unknown but extended period of time; and
- 9) The necessity of coordinating with the Sonoma County Office of Emergency Services and other agencies to secure and provide necessary services and supplies; and

WHEREAS, the Director of Emergency Services of the City of Sebastopol does hereby find:

1. That conditions of extreme peril to the safety of persons and property have arisen within the City, caused by the "February 2019 atmospheric river rain events and subsequent flooding" which began at approximately 12:00 am on the 26<sup>th</sup> day of February and persisted through February 27, 2019 and is ongoing; and
2. That these conditions are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Sebastopol; and

WHEREAS, the City Council of the City of Sebastopol is not in session and cannot immediately be called into session.

NOW THEREFORE IT IS HEREBY PROCLAIMED that a local emergency now exists throughout the City; and

IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this declaration be forwarded to the Governor of California with a request that he proclaim a state of emergency for Sebastopol, and that the aforesaid conditions of extreme peril warrant and necessitate the Proclamation of the Existence of a Local Emergency, and further that the Governor request a Presidential Proclamation; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency services organization of this City shall be those proscribed by law, by ordinances, and resolutions of this City and by the Sebastopol Emergency Operations Plan, and

IT IS FURTHER PROCLAIMED AND ORDERED that this proclamation shall remain in effect for seven (7) days, or until ratified by the City Council, whichever first occurs.

BY:



Bill Braga (Fire Chief), Director of Emergency Services

Date: 02/27/19

RESOLUTION NUMBER: 6228-2019

CITY OF SEBASTOPOL

Resolution of the City of Sebastopol City Council Ratifying an Emergency Proclamation issued by the Director of Emergency Services

WHEREAS, the California Emergency Services Act (California Government Code sections 8630, 8550 et seq.) empowers the City Council to designate by ordinance a local official with the power to proclaim the existence of a local emergency when the City Council is not in session so long as such proclamation is ratified by the City Council within seven days; and

WHEREAS, Section 2.36.050 of the Sebastopol Municipal Code identifies the Fire Chief as the Director of Emergency Services; and

WHEREAS, Section 2.36.060 (a) of the Sebastopol Municipal Code empowers the Director of Emergency Services to Request the City Council to proclaim the existence or threatened existence of a "local emergency" if the City Council is in session, or to issue such proclamation if the City Council is not in session; and

WHEREAS, emergence and spread of flooding beginning on February 26, 2019 and is ongoing through the City of Sebastopol and which event constitutes the existence of a condition of disaster or extreme peril to the safety of persons and property within the entire City of Sebastopol; and

WHEREAS, the impacts of the February 2019 storm events are currently being evaluated and are expected to result in an unknown and significant amount of city expenses to cover the additional staff time, consultant work, equipment and materials as well as contractor costs; and

WHEREAS, based on said event, the Fire Chief, Acting as Director of Emergency Services, of the City of Sebastopol declared the existence of a local emergency within the City on February 27, 2019; and

WHEREAS, the City Council has now been asked to ratify that Proclamation; and

WHEREAS, the City Council finds, based on the facts set forth above and in the attached proclamation, that the circumstances described do constitute an emergency pursuant.

NOW, THEREFORE, BE IT RESOLVED that the Proclamation of the Existence of a Local Emergency issued by the Fire Chief, acting as the Director of Emergency Services is hereby confirmed and ratified by the City Council of the City of Sebastopol; and

BE IT FURTHER RESOLVED, that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Sebastopol; and

BE IT FURTHER RESOLVED, that the City Manager or his designee is authorized to take whatever other action is authorized under the Sebastopol Municipal Code and state and federal law, subject to authorization required from the City Council, consistent with this Resolution and its basic purposes.

The above and foregoing Resolution was duly passed, approved and adopted at a meeting by the City Council on the 5th day of March 2019, by the following vote:

**VOTE:**

Ayes: Councilmembers Carnacchi, Glass, Gurney, Vice Mayor Slayter and Mayor Hinton  
Noes: None  
Abstain: None  
Absent: None

APPROVED: Neysa Hinton  
Mayor Neysa Hinton

ATTEST: Mary C Gourley  
Mary Gourley, Assistant City Manager/City Clerk, MMC

APPROVED AS TO FORM: Larry McLaughlin  
Larry McLaughlin, City Attorney