



TOWN OF FAIRFAX

STAFF REPORT

March 2, 2022

TO: Mayor and Town Council

FROM: Jonathon Goldman, Interim Public Works Director

SUBJECT: Adopt a Resolution Proclaiming the Termination of the Local Emergency at or Near 2378 Sir Francis Drake Boulevard, Fairfax First Declared on December 15, 2021 and then Confirmed and Continued January 19, 2022 and Again February 2, 2022

RECOMMENDATION

Adopt the Resolution.

BACKGROUND

With action during a special meeting of December 15, 2021 the Town Council of the Town of Fairfax adopted Emergency Resolution No. 21-53 finding, unanimously, that:

1. the recitals in said Emergency Resolution were true and correct; and
2. finding and determining based on substantial evidence in the staff report and oral testimony the existence of a local emergency at or in the vicinity of 2378 Sir Francis Drake Boulevard, Fairfax. These emergency findings were deemed to be entered into the minutes of the meeting at which this Emergency Resolution is passed.

On that basis, as documented in said Emergency Resolution No. 21-53, the Town Manager was ordered and authorized to:

3. provide for the emergency repair or replacement of those public facilities necessary to stabilize the roadway condition and reopen the roadway located at or near 2378 Sir Francis Drake Boulevard, Fairfax; and
4. to take any directly related and immediate action required by those emergency conditions, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts pursuant to Public Contract Code Sections 22035 and 22050.

The Town Manager was authorized to let said contract(s) in an amount not to exceed \$250,000 for construction and \$25,000 for design/construction management costs without further approval by the Town Council and said funding was deemed budgeted and appropriated for the improvements.

The Town Council unanimously adopted a continuing resolution (22-06) regarding the emergency at its January 19, 2022 meeting and a similar resolution at its February 2, 2022 meeting.

The hazards associated with the local emergency have been satisfactorily addressed. Staff recommends that those temporary repairs be accepted as complete and directing that a Notice of Completion be issued.

FISCAL IMPACT

None associated with this action.

ATTACHMENT

Resolution 22-____

RESOLUTION 22-__

**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX
PROCLAIMING THE TERMINATION OF THE LOCAL EMERGENCY AT OR NEAR
2378 SIR FRANCIS DRAKE BOULEVARD, FAIRFAX
FIRST DECLARED ON DECEMBER 15, 2021 AND THEN CONFIRMED AND CONTINUED
JANUARY 19, 2022 AND AGAIN FEBRUARY 2, 2022**

WHEREAS, the hazards associated with the local emergency have been satisfactorily addressed and Staff has recommended that those temporary repairs be accepted as complete; and

WHEREAS, in accordance with Government Code section 8630(d), the Council desires to take action to terminate the declaration of local emergency.

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Fairfax hereby declares and orders as follows:

SECTION 1. The Town Council of the Town of Fairfax, California hereby proclaims the termination of the local emergency declared on December 15, 2021, and confirmed and continued on January 19, 2022 and February 2, 2022, effective immediately upon adoption of this Resolution.

The foregoing resolution was duly passed and adopted by the Town Council of the Town of Fairfax at a duly noticed meeting held in said Town on the 2nd day of March 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Stephanie Hellman, Mayor

Attest: _____
Michele Gardner, Town Clerk