



TOWN OF FAIRFAX

STAFF REPORT

March 1, 2023

TO: Mayor and Town Council

FROM: Loren Umbertis, Public Works Director

SUBJECT: Adopt a Resolution Terminating the Local Emergency Declared by the Town Manager on January 5, 2023 and ratified by Resolution 23-02 by the Town Council on January 10, 2023 as a result of the December and January winter storms

RECOMMENDATION

Adopt a Resolution Terminating the Local Emergency Declared by the Town Manager on January 5, 2023 and ratified by Resolution 23-02 by the Town Council on January 10, 2023 as a result of the December and January winter storms

BACKGROUND

Starting on or about December 27, 2022 and continuing through the first half of the month of January 2023, the Town of Fairfax experienced high levels of rain and winds and saw the local creek levels rise during a significant winter storm event. During the period of the storm event, Town Staff, including the Police Department and Public Works Department, responded to reports of fallen trees, mud and debris falling onto and into the roadway and dealt with the aftermath of the storm for clean-up of affected areas. In addition to the work of Staff, outside contractors were called upon to provide additional assistance to remove fallen trees, unplug clogged storm drains and provide technical assistance in response to soil movement at various locations.

The Town Manager as Director of Emergency Services declared a local emergency on January 5, 2023 and the Town Council ratified the declaration by Resolution 23-02 at a special meeting on January 10, 2023

DISCUSSION

On January 4, 2023, California Governor Newsom declared a state of emergency as a result of the impacts that the winter storms had upon communities throughout the State.

Fairfax experienced storm related damages and impacts including fallen trees, mud and debris in the roadways, clogged and overwhelmed storm drains and other impacts upon private and public property within the Town limits. California Government Code Section 8630 and Section 2.52.070 of the Town of Fairfax Code empowers the Town Manager as the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency to protect the safety and welfare of the Town if the Town Council is not in session. The Town Manager declared an emergency on January 5, 2023. The Town Manager called for a special

meeting of the Town Council and by Resolution 23-02, the Council ratified the decision of the Town Manager on January 10, 2023.

As of February 22, 2023, there is no need to continue the local state of emergency. Staff is currently in the process of collecting information including costs and staff time related to addressing the impacts of the storms and will be seeking reimbursement where available from State and Federal Agencies including Cal OES and FEMA.

The hazards and conditions associated with the local emergency have been satisfactorily addressed. Staff recommends that the emergency declaration be terminated at this time.

FISCAL IMPACT

The Town did incur costs which are continuing to be tabulated and the Town will seek reimbursement from Federal, State and regional agencies as appropriate. At this time, direct Staff and Contractor costs are below \$75,000, but this figure does not include unknown or unsubmitted claims that may be submitted by residents against the Town. As a result of the statewide declaration, there is a strong likelihood that the Town will receive some form of compensation from our response and efforts to address the impacts of the storm.

ATTACHMENT

Resolution

RESOLUTION 23-__

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF FAIRFAX TERMINATING THE LOCAL EMERGENCY RELATED TO THE WINTER STORMS OF DECEMBER 2022 AND JANUARY 2023 AS DECLARED BY THE TOWN MANAGER ON JANUARY 5, 2023 AND RATIFIED BY RESOLUTION 23-02 BY THE TOWN COUNCIL ON JANUARY 10, 2023

WHEREAS, on or about December 27, 2022 and continuing through the first half of the month of January 2023, the Town of Fairfax experienced high levels of rain and winds and saw the local creek levels rise during a significant winter storm event and:

WHEREAS, The Town Manager as Emergency Services Director declared a local emergency on January 5th and the Town Council ratified that declaration by Resolution 23-02 at a special meeting on the 10th day of January, 2023 and continued the emergency by Resolution 23-08; and

WHEREAS, Staff is currently in the process of collecting information including costs and staff time related to addressing the impacts of the storms and will be seeking reimbursement where available from State and Federal Agencies including Cal OES and FEMA; and

WHEREAS, The hazards associated with the local emergency have been satisfactorily addressed and Staff recommends that the emergency declaration be terminated at this time; and

WHEREAS, in accordance with Government Code section 8630(d), the Council desires to take action to terminate the declaration of local emergency declared January 10, 2023; and

NOW, THEREFORE, BE IT RESOLVED that the Town Council of the Town of Fairfax, California hereby proclaims the termination of the local emergency declared on January 10, 2023, 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 1st day of March 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Attest: _____
Michele Gardner, Town Clerk

Chance Cutrano, Mayor