



SAN RAFAEL CITY COUNCIL AGENDA REPORT

Department: Fire

Prepared by: Christopher Gray, Fire Chief

City Manager Approval:  _____

TOPIC: LOCAL HAZARD MITIGATION PLAN

SUBJECT: RESOLUTION ADOPTING THE SAN RAFAEL LOCAL HAZARD MITIGATION PLAN

RECOMMENDATION:

Approve the attached Resolution adopting the City's Local Hazard Mitigation Plan (LHMP).

BACKGROUND:

The Disaster Mitigation Act (DMA) of 2000 (Public Law 106-390) requires local governments to develop and adopt pre-disaster mitigation plans in order to minimize property damage and the risk to public health and safety that might otherwise result from the effects of a natural or man-made disaster. A FEMA-approved plan makes the City eligible for FEMA Pre-Disaster Mitigation and Hazard Mitigation Grant programs. The Plan assesses risk and vulnerabilities and identifies and prioritizes mitigation projects. FEMA requires the plan to be updated every five years to maintain eligibility for grants.

In February 2016, FEMA approved the City's application for a sub-grant under the FY 2015 Pre-Disaster Mitigation Competitive Grant Program. Previously, the City did not have a FEMA-approved, locally adopted Hazard Mitigation Plan and thus was not eligible to apply for any FEMA funding to support City Hazard Mitigation projects. The \$75,000 grant was used to hire a contractor to assist in the creation of the LHMP. An additional \$25,000 City match was met by budgeted City staff personnel time contributions to developing the LHMP in FY 2016/17.

In June 2017, a draft San Rafael LHMP was completed and sent to the California Office of Emergency Services (Cal OES). Cal OES performed a review and on October 31, 2017, FEMA determined that the plan would be eligible for approval pending City Council approval of the Plan (see Attachment 1). FEMA requires that the City submit formal adoption documentation by October 31, 2018, after which the plan will be fully approved.

FOR CITY CLERK ONLY

File No.: 13-11 x 9-3-31

Council Meeting: 11/20/2017

Disposition: Resolution 14418

ANALYSIS:

Approving the resolution will make the LHMP an official plan and incorporate it by reference into the Safety Element of the City's General Plan, and will enable FEMA to provide final approval of the LHMP. This in turn will make the City eligible to apply for FEMA funding to support City Hazard Mitigation projects. Additionally, by incorporating the LHMP as part of the Safety Element of the General Plan, the City will satisfy a prerequisite imposed by Assembly Bill 2140 adopted in 2006 for obtaining 100% reimbursements from the State of California for certain eligible projects under the California Disaster Assistance Act.

FISCAL IMPACT:

Formal adoption of the LHMP will allow full recovery of \$75,000 in grant monies to the Fire Department's Emergency Services fund. There will be no impact to the General Fund. Once the plan is adopted locally, the City will become eligible to apply for future hazard mitigation funds through FEMA.

OPTIONS:

The City Council has the following options to consider on this matter:

1. Adopt the resolution adopting the San Rafael Local Hazard Mitigation Plan;
2. Adopt the resolution with modifications;
3. Direct staff to return with more information;
4. Take no action

RECOMMENDED ACTION:

Approve the Resolution Adopting the Local Hazard Mitigation Plan

ATTACHMENTS:

1. Preliminary FEMA Approval Letter;
2. Resolution Adopting the San Rafael Local Hazard Mitigation Plan.

RESOLUTION NO 14418

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN RAFAEL
ADOPTING THE CITY OF SAN RAFAEL LOCAL HAZARD MITIGATION PLAN**

WHEREAS, the City of San Rafael recognizes the threat that natural hazards pose to people and property within our community; and

WHEREAS, undertaking hazard mitigation actions will reduce the potential for harm to people and property from future hazard occurrences; and

WHEREAS, the U.S. Congress passed the Disaster Mitigation Act of 2000 (“Disaster Mitigation Act”) emphasizing the need for pre-disaster mitigation of potential hazards; and

WHEREAS, the Disaster Mitigation Act made available hazard mitigation grants to state and local governments; and

WHEREAS, an adopted Local Hazard Mitigation Plan is required as a condition of future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs; and

WHEREAS, the City of San Rafael fully participated in the FEMA-prescribed mitigation planning process to prepare this local hazard mitigation plan; and

WHEREAS, the California Office of Emergency Services and Federal Emergency Management Agency, Region IX officials have reviewed the City of San Rafael Local Hazard Mitigation Plan and approved it contingent upon this official adoption of the participating governing body; and

WHEREAS, the City of San Rafael desires to comply with the requirements of the Disaster Mitigation Act and to augment its emergency planning efforts by formally adopting the City of San Rafael Local Hazard Mitigation Plan; and

WHEREAS, adoption by the governing body for the City of San Rafael, demonstrates the jurisdiction’s commitment to fulfilling the mitigation goals and objectives outlined in this Local Hazard Mitigation Plan; and

WHEREAS, adoption of the plan authorizes responsible agencies to carry out their responsibilities under the plan.

NOW, THEREFORE, BE IT RESOLVED, that the City of San Rafael adopts the City of San Rafael Local Hazard Mitigation Plan as an official plan; and

BE IT FURTHER RESOLVED, that the City of San Rafael adopts the City of San Rafael Local Hazard Mitigation Plan by reference into the Safety Element of the General Plan 2020 in accordance with the requirements of AB 2140 (adopted 2006), and

BE IT FURTHER RESOLVED, that the City of San Rafael will submit this adoption resolution to the California Office of Emergency Services and FEMA Region IX officials to enable the plan's final approval in accordance with the requirements of the Disaster Mitigation Act of 2000 and to establish conformance with the requirements of AB 2140.

I, Esther Beirne, Clerk of the City of San Rafael, hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the San Rafael City Council held on Monday the 20th day of November, 2017 by the following vote, to wit:

AYES: Councilmembers: Bushey, Colin, Gamblin, McCullough & Mayor Phillips

NOES: Councilmembers: None

ABSENT: Councilmembers: None



ESTHER C. BEIRNE, City Clerk



FEMA

October 31, 2017

David Catalinotto
Environmental Management Coordinator
City of San Rafael
1600 Las Gamos Drive, Suite 345
San Rafael, CA 94903

Dear Mr. Catalinotto:

We have completed our review of the *City of San Rafael Local Hazard Mitigation Plan*, and have determined that this plan is eligible for final approval pending its adoption by the City of San Rafael.

Formal adoption documentation must be submitted to the FEMA Region IX office by the jurisdiction within one calendar year of the date of this letter, or the entire plan must be updated and resubmitted for review. We will approve the plan upon receipt of the documentation of formal adoption.

If you have any questions regarding the planning or review processes, please contact Alison Kearns, Lead Community Planner, at (510) 627-7125 or by email at alison.kearns@fema.dhs.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeffrey D. Lusk".

Jeffrey D. Lusk
Division Director
Mitigation Division
FEMA Region IX

Enclosure

cc: Jose Lara, Chief of Hazard Mitigation Planning, California Governor's Office of
Emergency Services
Jennifer Hogan, State Hazard Mitigation Officer, California Governor's Office of
Emergency Services



STAFF REPORT APPROVAL ROUTING SLIP

Staff Report Author: Christopher Gray		Date of Meeting: 11/20/2017	
Department: Fire			
Topic: Adopting the San Rafael Local Hazard Mitigation Plan			
Subject: RESOLUTION ADOPTING THE SAN RAFAEL LOCAL HAZARD MITIGATION PLAN AS AN OFFICIAL PLAN AND BY REFERENCE INTO THE SAFETY ELEMENT OF THE GENERAL PLAN			
Type: (check all that apply)		<input checked="" type="checkbox"/> Consent Calendar	<input type="checkbox"/> Public Hearing
<input type="checkbox"/> Discussion Item		<input checked="" type="checkbox"/> Resolution	<input type="checkbox"/> Ordinance
<input type="checkbox"/> Professional Services Agreement		<input type="checkbox"/> Informational Report	
*If PSA, City Attorney approval is required prior to start of staff report approval process			
Was agenda item publicly noticed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Date noticed:	<input type="checkbox"/> Mailed <input type="checkbox"/> Site posted <input type="checkbox"/> Marin IJ

Due Date	Responsibility	Description	Completed Date	Initial / Comment
PRELIMINARY REVIEW				
FRI, 7/14	Author	Submit draft report to Director	11/3/2017	<input checked="" type="checkbox"/> CG
MON, 7/17	Director	Submit draft report to ACM	11/9/2017	<input checked="" type="checkbox"/> CG
	Assistant City Manager	Readiness review		<input checked="" type="checkbox"/> RW
WED, 7/19	City Attorney	Preliminary legal and financial impact review	11/9/2017	<input checked="" type="checkbox"/> LG
	Finance			<input checked="" type="checkbox"/> MM
CONTENT REVIEW				
FRI, 7/21	Assistant City Manager	Content review	11/9/2017	<input checked="" type="checkbox"/> RW
	Author	Revisions	11/9/2017	<input checked="" type="checkbox"/> CG
FINAL REVIEW				
MON, 7/24	City Attorney	Final legal review	11/9/2017	<input checked="" type="checkbox"/> LG
	Finance	Final financial review	11/9/2017	<input checked="" type="checkbox"/> MM
	Author	Revisions / accept changes	11/9/2017	<input checked="" type="checkbox"/> CG
TUES, 8/1	City Manager	Final review and approval	11/15/2017	<input checked="" type="checkbox"/> JS