



City of La Quinta

CITY / SA / HA / FA MEETING DATE: September 16, 2014

ITEM TITLE: ADOPT RESOLUTIONS TO DECLARE LOCAL EMERGENCY; REQUEST GOVERNOR TO PROCLAIM STATE OF EMERGENCY; REQUEST CONCURRENCE BY CALIFORNIA OFFICE OF EMERGENCY SERVICES; AND APPROVE THE TEMPORARY WAIVER OF PERMIT FEES FOR WORK RESULTING FROM FLOOD DAMAGE

AGENDA CATEGORY:

BUSINESS SESSION: 1

CONSENT CALENDAR:

STUDY SESSION:

PUBLIC HEARING:

RECOMMENDED ACTION:

1. Approve three resolutions related to the declaration of a local emergency:
 - a. Proclaiming the existence of a local emergency;
 - b. Requesting the governor to proclaim a state of emergency; and
 - c. Requesting concurrence in the proclamation of a local emergency by the California Office of Emergency Services.
2. Motion to approve the temporary waiver of building permit fees and authorize expedited permit processing for repair work associated with the flood damage of September 8, 2014.

EXECUTIVE SUMMARY:

- The City experienced a 700-year storm event on September 8, 2014, which caused extensive damage to private and public property throughout the City.
- Public and private buildings and streets were flooded and damaged as a result of the intense rain storm.

The City activated the Emergency Operations Center (EOC) to provide communication and coordination of safety efforts to residents and to address the necessary clean up following the storm.

- To qualify for assistance from the Natural Disaster Relief Act (NDAA), this proclamation must be adopted within ten days of the event.
- During the existence of a declared emergency, per Municipal Code, the City Council shall be considered to be in continuous session. This permits Council to convene on short notice and to bypass certain Brown Act requirements.

FISCAL IMPACT:

City staff is assessing the damage and obtaining cost estimates. Declaring the existence of a local emergency could provide assistance in recovering from damages associated with the emergency event.

As a consideration to residents who may need assistance with their properties, staff recommends a one-time waiver of building permit fees for repair work necessitated by flood damage. If the Governor also declares the event a natural disaster, state code applies. The Government Code prohibits fees for the reconstruction of any residential, commercial, or industrial development project that is damaged or destroyed as a result of a natural disaster, as declared by the Governor. In addition, these permit applications would be given priority in the review queue. The fiscal impact would be the loss of permit fee revenue however; it is revenue that would not have otherwise been realized had there been no storm.

BACKGROUND/ANALYSIS:

The morning of September 8, 2014 proved to be one of the most significant rain storms since the City's incorporation. According to the National Weather Service, La Quinta experienced a 700-year storm event with 2.84" falling in 60 minutes causing a rapid flood emergency throughout the City.

Due to the high volume of water in a short period of time, the Police, Fire and Public Works departments worked to control traffic, clear roadways and flooded intersections including rescuing stranded motorists, removing abandoned vehicles, pumping collected water, and removing debris and downed trees quickly to reopen roadways.

Damage to the City's infrastructure (including streets and public buildings) and damage to many private homes and local businesses, is evident and being documented. The cleanup efforts are beyond the resources of the City and additional financial support is needed. The extent of the damage to the City is unknown at this time, but it is likely to be substantial. The declaration of a local emergency provides the opportunity to apply for federal and/or state funding assistance.

A number of private residences and businesses were damaged during the flooding emergency. As a relief to the financial burden on residents and business owners, a fee waiver and expedited effort for building permits for storm damage repairs is recommended.

ALTERNATIVES:

Due to the serious safety condition and considerable damage to public and private property, staff offers no alternative.

Report prepared by: Edie Hylton, Deputy City Manager
Susan Maysels, City Clerk

Report approved for submission by: Frank J. Spevacek, City Manager

EMERGENCY RESOLUTION NO. 2014 - ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY
OF LA QUINTA, CALIFORNIA, PROCLAIMING THE
EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, La Quinta Municipal Code section 2.20.080 empowers the City Council or, if the City Council is not in session by (1) any member of the City Council acting individually; (2) City Manager; (3) Chief of Police; (4) Fire Chief; or (5) Acting City Manager to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity; and

WHEREAS, the City Council has been requested by the City Manager to proclaim the existence of a local emergency therein; and

WHEREAS, the City Council does hereby find that conditions of extreme peril to the safety of persons and property have arisen within the City, caused by heavy rain and major flash flooding; commencing on or about 7:30 a.m. on the 8th day of September 2014; and that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the City Council of the City of La Quinta, California that a local emergency now exists throughout the City of La Quinta; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Emergency Manager and the emergency organization of this City shall be those prescribed by state law, by ordinances, and resolutions of this City; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that the Emergency Operations Center Director or his/her successor or assignee is hereby designated as the authorized representative of the City of La Quinta for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance; and

IT IS HEREBY FURTHER PROCLAIMED AND ORDERED that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of La Quinta, California.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council held on this 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DON ADOLPH, Mayor
City of La Quinta, California

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

EMERGENCY RESOLUTION NO. 2014 - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, REQUESTING THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY

WHEREAS, on the 16th day of September 2014, the City Council of the City of La Quinta found that due to heavy rain and major flash flooding on September 8, 2014, a condition of extreme peril to life and property did exist within the City of La Quinta; and

WHEREAS, in accordance with state law the City Council proclaimed an emergency did exist throughout the City; and

WHEREAS, it has now been found that local resources are unable to cope with the effects of said emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the Governor of California with the request that he proclaim the City of La Quinta to be in a state of emergency; and

IT IS HEREBY FURTHER ORDERED that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services; and

IT IS HEREBY FURTHER RESOLVED that La Quinta City Manager Frank J. Spevacek is hereby designated as the authorized representative for public assistance and Christopher Escobedo, Assistant to the City Manager is hereby designated as the authorized representative for individual assistance of the City of La Quinta for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council held on this 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DON ADOLPH, Mayor
City of La Quinta, California

Resolution No. 2014-
Proclamation of Local Emergency
Requesting Proclamation by Governor
Adopted: September 16, 2014

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California

RESOLUTION NO. 20__ - ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA QUINTA, CALIFORNIA, REQUESTING CONCURRENCE IN THE PROCLAMATION OF A LOCAL EMERGENCY BY THE STATE DIRECTOR OF THE CALIFORNIA OFFICE OF EMERGENCY SERVICES

WHEREAS, on the 16th day of September 2014, the City Council of the City of La Quinta found that due to heavy rain and major flash flooding on September 8, 2014 a condition of extreme peril to life and property did exist within the City of La Quinta; and

WHEREAS, in accordance with state law the City Council proclaimed an emergency did exist throughout the City; and

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED that a copy of this resolution be forwarded to the State Director of the Office of Emergency Services with a request that s/he find it acceptable in accordance with provisions of the Natural Disaster Assistance Act; and

IT IS HEREBY FURTHER RESOLVED that La Quinta City Manager Frank J. Spevacek is hereby designated as the authorized representative of the City of La Quinta for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

PASSED, APPROVED, and ADOPTED at a regular meeting of the La Quinta City Council held on this 16th day of September 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

DON ADOLPH, Mayor
City of La Quinta, California

Resolution No. 2014-
Proclamation of Local Emergency
Requesting Concurrence by State OES
Adopted: September 16, 2014

ATTEST:

SUSAN MAYSELS, City Clerk
City of La Quinta, California

(CITY SEAL)

APPROVED AS TO FORM:

WILLIAM H. IHRKE, City Attorney
City of La Quinta, California