

RESOLUTION NO. RES-2019-157

RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA ROSA RATIFYING THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE CITY MANAGER IN HIS CAPACITY AS DIRECTOR OF EMERGENCY SERVICES

WHEREAS, beginning on October 27, 2019, and continuing to the present, conditions of extreme peril to the safety of persons and property arose within City of Santa Rosa, caused by (1) electric utility Pacific Gas & Electric's (PG&E) suspension of the provision of electricity to a significant portion of the City due to high wind speeds, low humidity, and high temperature conditions that increase the risk of wildfire to the City; and (2) the ignition of the Kincadee wildfire, the severe winds that have and continue to spread that fire, and the threat of possible additional fires due to severe weather and vegetation conditions; and

WHEREAS, these events are impacting many tens of thousands of residents within the City and the immediately surrounding areas. The de-energization and continuing threat of wildfire may last an indefinite period, and significantly impact the health and safety of City residents, the security of critical public services and infrastructure, and the welfare of community businesses; and

WHEREAS, these events will require the provision of additional public safety and emergency services notwithstanding impaired response capability caused by the electric outages. The City may need to promulgate emergency orders and regulations to facilitate the maintenance of order and reduction in potential loss of life and property; and

WHEREAS, these conditions of extreme peril warranted and necessitated the proclamation of a local emergency even before the potential de-energization began, so as to enable the City and other local government entities in the affected region to adequately plan, prepare and pre-position resources to enable effective response to the de-energization of the electrical system, and to warn City residents and visitors of the potential of suspension of electrical services to enable them sufficient time to plan and prepare; and

WHEREAS, after initiating the suspension of electrical service in significant portions of Santa Rosa and the immediately surrounding areas on October 9, 2019, then again on October 23, 2019 and then again on October 26, 2019, on October 28, 2019, PG&E announced its intent to continue the suspension of electrical service for additional days, with an uncertain re-energization timeframe, continuing to impact tens of thousands of City residents and hundreds of businesses in the affected areas; and

WHEREAS, the conditions of extreme peril were exacerbated when, as required to protect life and safety in response to the Kincadee fire, public safety officials established extensive mandatory evacuation zones within the City of Santa Rosa. The evacuations have resulted in the displacement of tens of thousands of residents to shelters or other locations and the interruption of many businesses and governmental offices; and

WHEREAS, the scope of impacts to City facilities from the suspension of electrical service and the wildfires is unknown at this time; and

WHEREAS, impacts from the wildfires include damage to the Calpine geysers facilities, which damage will impair the City's ability to deliver recycled water to the geysers until repairs are completed, thereby impacting the operations of the City's wastewater system; and

WHEREAS, Section 2-24.04 of the Santa Rosa City Code designates the City Manager as the Director of Emergency Services; and

WHEREAS, Section 2-24.050 of the Santa Rosa City Code empowers the Director of Emergency Services to proclaim the existence of a local emergency when the City Council is not in session; and

WHEREAS, on October 27, 2019, the City Manager, in his capacity as Director of Emergency Services, proclaimed the existence of local emergency in the City of Santa Rosa; and

WHEREAS, Section 2-24.050 states that the City Council shall take action to ratify the proclamation of the Director of Emergency Services within seven days thereafter or the proclamation shall have no further force or effect.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Santa Rosa hereby ratifies the Proclamation of the Existence of a Local Emergency issued by the Director of Emergency Services, dated October 27, 2019, attached to this resolution as Exhibit A.

BE IT FURTHER RESOLVED by the Council that the local emergency shall remain in effect until such time that the Council determines that the emergency conditions have been abated.

IN COUNCIL DULY PASSED this 1st day of November, 2019.

AYES: (5) Mayor Schwedhelm, Vice Mayor Rogers, Council Members Olivares, Sawyer, Tibbetts

NOES: (0)

ABSENT: (2) Council Members Combs, Fleming

ABSTAIN: (0)

ATTEST: *Dina Manis*
Dina Manis (Nov 21, 2019)
Acting City Clerk

APPROVED: *J Schwedhelm*
Mayor

APPROVED AS TO FORM:

Joe Alley
City Attorney

Exhibit A – Proclamation of the Existence of Local Emergency dated 10/27/2019

PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY
(by Director of Emergency Services)

WHEREAS, California Government Code sections 8558 and 8630 empower the City of Santa Rosa to proclaim the existence of a local emergency when the City is affected or likely to be affected by conditions of disaster or of extreme peril to the safety of persons and property within the City's territorial limits; and

WHEREAS, Section 2-24.050 of the Santa Rosa City Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by conditions of disaster or of extreme peril to the safety of persons and property within the City, and the City Council is not in session; and

WHEREAS, Section 2-24.040(A) of the Santa Rosa City Code mandates that the City Manager shall be the Director of Emergency Services; and

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

1. That at the time of this proclamation, the City Council of the City of Santa Rosa is not in session (and cannot immediately be called into session).
2. That conditions of extreme peril to the safety of persons and property have arisen within the City caused by (1) electric utility Pacific Gas & Electric's (PG&E) suspension of the provision of electricity to a significant portion of the City due to high wind speeds, low humidity, and high temperature conditions that increase the risk of wildfire to the City, and by (2) the Kincadee wildfire and severe winds that is causing the spread of that fire and possible creation of new fires due to the severe conditions. This has impacted many tens of thousands of PG&E customers within the City and the immediate surrounding areas. The de-energization and spread of wildfire will last an indefinite period, and significantly impact the health and safety of City residents as well as critical public services and infrastructure. Conditions require the provision of additional public safety and emergency services notwithstanding impaired response capability. The City may need to promulgate emergency orders and regulations to facilitate the maintenance of order and reduction in potential loss of life and property.
3. These conditions of extreme peril warrant and necessitate the proclamation of a local emergency, so as to enable the City and other local government entities in the affected region to adequately plan, prepare and pre-position resources to enable effective response to the de-energization of the electrical system and spread of wildfire, and to warn City residents and visitors to enable them sufficient time to plan and prepare.

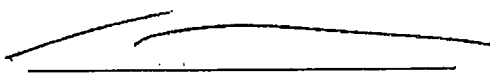
NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists in the City of Santa Rosa.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency, the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, by ordinances and resolutions of this City, and by the City of Santa Rosa's Emergency Operations Plan.

IT IS FURTHER PROCLAIMED AND ORDERED that this Proclamation shall remain in effect for the next seven (7) days, and thereafter by ratification of the City Council.

IT IS REQUESTED that the Governor of the State of California proclaim a State of Emergency due to the de-energization of the electrical systems and spread of wildfire, waive regulations that may hinder response and recovery efforts, and make available California Disaster Assistance Act funding.

Date and time: 10/27/19 6:03AM



Director of Emergency Services
City of Santa Rosa