

RESOLUTION NO. 24-18

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
PALOS VERDES ESTATES, CALIFORNIA, RATIFYING
AND DECLARING A LOCAL EMERGENCY RELATED TO
EXCESS WATER FLOW AND SIGNIFICANT ROAD
DAMAGE**

WHEREAS, the California Emergency Services Act, Government Code sections 8558(c) and 8630 authorize the proclamation of a local emergency when conditions of disaster or extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, the City of Palos Verdes Estates (the "City") Municipal Code section 2.28.030 empowers the City Manager, acting as the Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when there is an actual or threatened existence or 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, City staff observed significant and severe water flow along Palos Verdes Drive West in March 2024; and

WHEREAS, the City and a private contractor attempted numerous times to identify the source of the water flow without success; and

WHEREAS, the severe water flow continued to the point where it was threatening public health, property and the environment; and

WHEREAS, the Director of Emergency Services determined that the water event increased to such an extent to create circumstances of extreme peril to public safety requiring immediate remedial action and adopted a proclamation declaring a local emergency on April 6, 2024. The local emergency relates to the impacts arising from the unknown water source causing significant damage to Palos Verdes Drive West, including numerous large potholes, road hazards, and other severe traffic issues for motorists and cyclists, thereby threatening public health, property and the environment; and

WHEREAS, the emergency conditions brought forth by the water event have caused hazardous road conditions and pose the risk of further pot holes, road hazards and potential mudslides; and

WHEREAS, the City continues to monitor the negative impacts of the water event as all damage has yet to be assessed and reported; and

WHEREAS, the City Council acknowledges these conditions have created and continue to create an environment of disaster and extreme peril to the safety of persons and property within the City of Palos Verdes Estates; and

WHEREAS, Government Code section 8630(b) and Palos Verdes Estates Municipal Code section 2.28.030 mandate that a local emergency, once proclaimed, must be ratified by the City Council within seven (7) days to remain in effect; and

WHEREAS, the City Council of the City of Palos Verdes Estates desires to ratify the aforementioned Proclamation of Local Emergency to ensure ongoing coordinated response to the impacts created by the water event and authorize the City to seek necessary assistance and reimbursement from federal and state sources, if determined to be appropriate by the City Manager.

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Palos Verdes Estates as follows:

1. The Proclamation of Local Emergency declared by the City Manager on April 6, 2024 is hereby ratified.
2. City will continue to assess the situation and utilize available resources to address the emergency conditions and coordinate response and repair efforts.
3. The City Council shall review the necessity of continuing the local emergency at least once every 60 days until the City Council terminates the local emergency and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.
4. All departments and agencies of the City are hereby directed to take all necessary actions to mitigate the local emergency and are authorized to seek assistance and funding from state and federal entities to aid in the response to this emergency.
5. During the existence of said local emergency, the powers, functions, and duties in response to the local emergency shall be those prescribed by state law, ordinances, and resolutions of the City.

PASSED, APPROVED AND ADOPTED at a meeting of the City Council of the City of Palos Verdes Estates held on the 9th day of April 2024, by the following roll call vote:

AYES: COUNCILMEMBERS: Murdock, Lozzi, Roos, Kemp, McGowan

NOES:

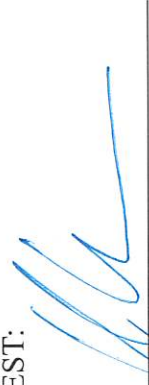
ABSTAIN:

ABSENT:



Dawn Murdock, Mayor
City of Palos Verdes Estates

ATTEST:



City Clerk
City of Palos Verdes Estates

APPROVED AS TO FORM:



Trevor Rusin, City Attorney
City of Palos Verdes Estates