



MEETING DATE: July 25, 2024

FROM: Susan Scarlett

RE: Emergency Proclamation and Resolution No. 2592 Ratifying the Proclamation

BACKGROUND:

Due to the Gold Complex fire the City Mayor executed a Proclamation on July 24, 2024 which is attached. The City Council needs to ratify the Proclamation by adopting Resolution No. 2592.

EXECUTIVE SUMMARY:

RECOMMENDATION:

FISCAL IMPACT:

Unknown

ATTACHMENTS:

- A. PROCLAMATION OF EMERGENCY - GOLD COMPLEX FIRE
- B. RESOLUTION RATIFYING PROCLAMATION OF LOCAL EMERGENCY - GOLD COMPLEX FIRE

Proclamation of the City of Portola, County of Plumas, State of California, Proclaiming Existence of a Local Emergency by the Director of Emergency Services, Appointing an Assistant Director of Emergency Services, Delegating Certain Powers and Duties to the Assistant Director of Emergency Services and Authorizing the Assistant Director of Emergency Services to Exercise such Powers and Duties to Address Impacts of the Gold Complex Fire

WHEREAS, on or about July 22, 2024, four fires ignited in Plumas County, including the Mill Fire 1, Mill Fire 2, Mill Fire 3, and Smith Fire (collectively the “Gold Complex Fire”); and

WHEREAS, the Gold Complex Fire has created the existence of extreme peril to the safety of persons and property within the City of Portola (“City”); and

WHEREAS, the raging fire has resulted in evacuation orders and warnings requiring citizens in and around the City to be uplifted and forced from their homes and the City to evacuate City Hall; and

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of the City and requiring the combined forces of other political subdivisions to combat; and

WHEREAS, the City Council of the City of Portola is not in session and cannot immediately be called into session; and

WHEREAS, the aforesaid conditions are of extreme peril and warrant and necessitate the proclamation of the existence of a local emergency in accordance with and as authorized by Portola Municipal Code Section 2.32 and California Government Code Sections 8630-8634; and

WHEREAS, it would be prudent to request the Governor of the State of California to proclaim a State of Emergency for the City of Portola; and

WHEREAS, it would be prudent to appoint a person to the office of Assistant Director of Emergency Services and delegate certain powers and duties to that office; and

WHEREAS, the City may proclaim a local emergency pursuant to California Government Code Sections 8630 -8634 and during periods of local emergency, the City has full power to provide mutual aid to any affected area in accordance with local ordinances, resolutions, emergency plans, or agreements therefor, and state agencies may provide mutual aid to the City, and the City may promulgate orders and regulations necessary to provide for the protection of life and property, including orders or regulations imposing a curfew within designated boundaries where necessary to preserve the public order and safety. Such orders and regulations and amendments and rescissions thereof shall be in writing and shall be given widespread publicity and notice.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that in accordance with Portola Municipal Code Section 2.32 and California Government Code Sections 8630-8634 and in my capacity as the Director of Emergency Services, I hereby declare a local emergency due to conditions of extreme peril that the Gold Complex Fire, its impacts and responses thereto, pose to the safety of persons and property within the City.

IT IS FURTHER PROCLAIMED AND ORDERED that in accordance with Portola Municipal Code Section 2.32, the City’s Director of Emergency Services is authorized to use and employ any of the property, services, personnel, and resources of the City, to command the aid of as many citizens as may be necessary to help mitigate this emergency and that County and State agencies

may provide mutual aid, including personnel, equipment, and other available resources as needed to assist the City of Portola during this emergency.

IT IS FURTHER PROCLAIMED AND ORDERED that in accordance with Portola Municipal Code Section 2.32 and in my capacity as the Director of Emergency Services, I hereby appoint the Interim City Manager to the office of Assistant Director of Emergency Services.

IT IS FURTHER PROCLAIMED AND ORDERED that in accordance with Portola Municipal Code Section 2.32 and in my capacity as the Director of Emergency Services, I hereby delegate to the Assistant Director of Emergency Services all the powers and duties of the Director of Emergency Services set forth in Portola Municipal Code Section 2.32 during the existence of the local emergency proclaimed herein and authorize the Assistant Director of Emergency Services to exercise all such powers and duties during the existence of the local emergency proclaimed herein.

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of the City of Portola shall be those prescribed by state law, by ordinances, and resolutions of the City of Portola; and that this emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the City Council of the City of Portola.

IT IS FURTHER PROCLAIMED AND ORDERED that the local emergency proclaimed herein shall be reviewed by the City Council for the need to continue it at least once every sixty (60) days until the City Council terminates the local emergency and the City Council shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

PROCLAIMED this 24th day of July 2024

Mayor, City of Portola, Pat Morton

ATTEST:

Todd Roberts, Director of Public Works

I, Todd Roberts, Director of Public Works of the City of Portola, do hereby certify that the above and foregoing Proclamation was duly proclaimed by the Mayor of the City of Portola in her capacity as the Director of Emergency Services on July 24, 2024.

Todd Roberts, Director of Public Works

RESOLUTION NO. 2592

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORTOLA
RATIFYING THE PROCLAMATION OF THE CITY'S DIRECTOR OF
EMERGENCY SERVICES PROCLAIMING A LOCAL EMERGENCY AND
RELATED MATTERS TO ADDRESS IMPACTS OF THE
GOLD COMPLEX FIRE**

WHEREAS, Ordinance No. 126 of the City of Portola, as set forth in Section 2.32 of the Portola Municipal Code, empowers the City Council and the City's Director of Emergency Services to proclaim a local emergency when conditions create the existence of extreme peril to the safety of persons and property within the City of Portola ("City"); and

WHEREAS, the City may proclaim a local emergency pursuant to California Government Code Sections 8630 -8634; and

WHEREAS, on July 24, 2024, the City's Director of Emergency Services proclaimed the existence of a local emergency and issued a Proclamation entitled "Proclamation of the City of Portola, County of Plumas, State of California, Proclaiming Existence of a Local Emergency by the Director of Emergency Services, Appointing an Assistant Director of Emergency Services, Delegating Certain Powers and Duties to the Assistant Director of Emergency Services and Authorizing the Assistant Director of Emergency Services to Exercise such Powers and Duties to Address Impacts of the Gold Complex Fire," ("Proclamation") a copy of which is attached hereto; and

WHEREAS, the dangers and risks posed by Gold Complex Fire and the response thereto are or are likely to be beyond the control of the services, personnel, equipment and facilities of the City of Portola and therefore constitute an emergency as defined in Section 2.32.020 of the City of Portola Municipal Code, and;

WHEREAS, Section 2.32.060 of the City of Portola Municipal Code Section and Government Code Section 8630(b) require the City Council to ratify an emergency proclamation within seven (7) days or the proclamation will no longer be in force.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Portola hereby ratifies the Proclamation made on July 24, 2024, due to the significant, ongoing and possibly undiscovered impacts of the Gold Complex Fire.

BE IT FURTHER RESOLVED, that the City Council of the City of Portola hereby requests the Governor of the State of California to proclaim a State of Emergency for the City of Portola.

BE IT FURTHER RESOLVED, that the Director of Emergency Services or her designee immediately forward a certified copy of this Resolution to the Governor of the State of California.

PASSED, APPROVED AND ADOPTED this 25th day of July 2024 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Pat Morton, Mayor

ATTEST:

Susan Scarlett, Interim City Manager

I, Susan Scarlett, Interim City Manager of the City of Portola, do hereby certify that the above and foregoing Resolution was duly passed and adopted by the City Council of the City of Portola at a meeting thereof held on July 25, 2024.

Susan Scarlett, Interim City Manager

Resolution No. 2592

July 25, 2024