


**CITY OF YUCAIPA
AGENDA REPORT**

TO: Honorable Mayor and City Council
FROM:  Ray Casey, City Manager
FOR: City Council Meeting of October 26, 2009
SUBJECT: Extend Declaration of Local Emergency Due to Fires in the City of Yucaipa

RECOMMENDATION:

That City Council extend the declaration of a local emergency approved on September 4, 2009, thereby recognizing the continued existence of perilous conditions in the aftermath of the Pendleton Fire.

BACKGROUND:

On Friday, September 4, 2009, the City Council held a Special Meeting and adopted Resolution No. 2009-51, ratifying the proclamation of the existence of a local emergency by the City Manager and requested the State Director, Office of Emergency Services' concurrence in the proclamation of a local emergency. On Monday, September 14, 2009 the City Council extended the declaration of a local emergency as a result of the Pendleton Fire.

The Pendleton Fire burned approximately 860 acres and was fully contained on September 3, 2009. City staff is pursuing and/or implementing emergency protective measures to address the probability of wildfire-related debris flows and flooding incidents associated with the Pendleton Fire. City staff is also assessing drainages that may pose a health or safety hazard for increased potential of flooding due to fire-related impacts on debris flows and storm drainages.

Pursuant to Yucaipa Municipal Code 8.36.16 and Section 8630 of the California Government Code, the City Council shall review, at least every fourteen (14) days, until such local emergency is terminated, the need for continuing the local emergency. Therefore, this extension will need to be reviewed and, with Council concurrence, extended at the October 26, 2009 City Council meeting. Such declaration facilitates the City's response to combat perilous conditions by providing limited immunity for emergency actions of public employees and governing bodies, authorizing the issuance of orders and regulations to protect life and property, and activating pre-established local emergency provisions such as special purchasing and contracting procedures.

Conditions of extreme peril continue to exist in areas burned by the Pendleton Fire. The need for this local emergency declaration remains vital to the interests of the City and residents to accomplish work necessary to mitigate the impact of the Pendleton Fire.

FISCAL IMPACT:

On September 29, 2009 the California Emergency Management Agency (Cal EMA) held an Applicants Briefing for the Fire Management Assistance Grant (FMAG) and California Disaster Assistance Act (CDAA) recovery programs for the Oak Glen III and Pendleton Fires in San

City Council Agenda Report
Extend Declaration of Local Emergency
For the Meeting of October 26, 2009
Page 2 of 2

Bernardino County. The briefing provided information on the cost recovery procedures, cost eligibility, documentation requirements, payment processing, and deadlines specific to the Oak Glen III and Pendleton FMAG and CDAA programs.

Staff is working diligently with Cal EMA to ensure that expenses associated with the Pendleton Fire including mitigation efforts will be fully reimbursed. The estimated costs to date including flood mitigation measures are approximately \$413,000. Cal EMA will reimburse the City up to the amount of 93 ¾% for all eligible expenses. The City has received some funding from the National Resource Conservation Service (NRCS) for mitigation efforts.