

## RESOLUTION NO. 54-2024

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFICA RATIFYING THE PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY AT THE SEWER MAIN LOCATED ON CARMEL AVENUE FROM VALLEJO TERRACE TO CANYON DRIVE

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**WHEREAS**, Section 4-2.05 of the City of Pacifica Municipal Code (“PMC”) designate the City Manager as the Director of Emergency Services; and

**WHEREAS**, Government Code section 8630 and PMC section 4-2.05(a) empower the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said city is affected or likely to be affected by an emergency, subject to ratification by the City Council; and

**WHEREAS**, Section 4-2.02 of the PMC defines "emergency" as the “actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this City caused by such conditions as earthquake, hazardous materials, plane crash, landslide, tsunami, epidemic, flood, riot, fire, or other conditions, including conditions resulting from a labor controversy, which conditions are or are likely to be beyond the capability of control of the services, personnel, equipment, and facilities of this City, requiring the combined forces of other political subdivisions to combat”; and

**WHEREAS**, Section 4-2.01 et seq. of the Pacifica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, subject to confirmation by the City Council; and

**WHEREAS**, the City Manager is the Director of Emergency Services of the City of Pacifica; and

**WHEREAS**, on Friday, June 14, 2024, Public Works Wastewater Division was conducting CCTV inspections on the 6-inch sewer line on all of Carmel Avenue in preparation for an upcoming resurfacing project; and

**WHEREAS**, during the inspection activities, the Public Works Wastewater Division staff discovered approximately seven Grade 5 defects in 3 of the 6-inch sewer lines that require immediate repair; and

**WHEREAS**, upon further investigation the damaged 6-inch sewer mainlines are in danger of collapsing which would create a hazardous condition including potential Sanitary Sewer Spills and threaten the safety of persons and property, including critical public infrastructure; and

**WHEREAS**, the City Manager has determined that the damaged sewer main threatens the health and safety of persons and properties, including critical public infrastructure, and requires immediate attention and repair and as such constitutes an emergency pursuant to Pacifica Municipal Code section 4-2.02 and Public Contract Code section 1102; and

**WHEREAS**, such conditions are or are likely to be beyond the handling capability of the City’s services, personnel, equipment, and facilities, requiring the use of outside contractors to conduct emergency repair pursuant to Pacifica Municipal Code section 3-15.09 without giving

notice for bids to let contract, pursuant to Public Contract Code 22050; and

**WHEREAS**, on June 17, 2024, the City Manager, in his capacity as Director of Emergency Services, proclaimed the existence of local emergency in the City of Pacifica, after determining that the damaged condition of the 6-inch sewer main at Carmel Avenue is likely to create conditions of disaster or extreme peril which will be beyond the services, personnel, and equipment, and facilities of the City; and

**WHEREAS**, in accordance with Government Code section 8630 and PMC section 4-2.05(a) the City Council must take action to confirm the proclamation within 7 days and in accordance with Public Contract Code section 22050 which requires confirmation by 4/5 vote of the City Council within 14 days of the emergency action; and

**NOW, THEREFORE, BE IT RESOLVED** that said Proclamation of Existence of Local Emergency, as issued by said City Manager in his capacity as Director of Emergency Services, which is attached hereto as Attachment "A", is hereby ratified and approved by the City of Pacifica City Council; and

**BE IT FURTHER RESOLVED** that said local emergency is confirmed to exist and shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Pacifica; and

**BE IT FURTHER RESOLVED** that during the existence of this local emergency, the powers, functions, and duties of the Director of Emergency Services, and the emergency organization of the City of Pacifica shall be those prescribed by state law, by the existing ordinances and resolutions of the City of Pacifica, as well as this resolution and any subsequent emergency orders of the City Council.

. . . . .

**PASSED AND ADOPTED** at a regular meeting of the City Council of the City of Pacifica, California, held on the 24<sup>th</sup> day of June, 2024, by the following vote: 5-0

**AYES**, Councilmembers: Beckmeyer, Bier, Bigstyeck, Bokes, Vaterlaus

**NOES**, Councilmembers: na

**ABSENT**, Councilmembers: na

**ABSTAIN**, Councilmembers: na

Sue Vaterlaus  
Sue Vaterlaus, Mayor

ATTEST:

Sarah Coffey  
Sarah Coffey, City Clerk

APPROVED AS TO FORM:

Michelle Kenyon  
Michelle Kenyon, City Attorney



Scenic Pacifica  
Incorporated Nov. 22, 1957

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## CITY OF PACIFICA

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www.cityofpacifica.org

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**MAYOR**  
Sue Vaterlaus

**MAYOR PRO  
TEM**  
Sue Beckmeyer

**COUNCIL**  
Mary Bier  
Tygarjas Bigstyck  
Christine Boles

### PROCLAMATION OF LOCAL EMERGENCY

**WHEREAS**, Section 4-2.01 *et seq.* of the Pacifica Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City Council is not in session, subject to confirmation by the City Council at the earliest possible time; and

**WHEREAS**, the City Manager is the Director of Emergency Services of the City of Pacifica; and

**WHEREAS**, on Friday, June 14, 2024, Public Works Wastewater Division was conducting CCTV inspections on the 6-inch sewer line on all of Carmel Avenue in preparation for an upcoming resurfacing project; and

**WHEREAS**, during the inspection activities, the Public Works Wastewater Division staff discovered approximately seven Grade 5 defects in 3 of the 6-inch sewer lines that require immediate repair; and

**WHEREAS**, upon further investigation the damaged 6-inch sewer mainlines are in danger of collapsing which would create a hazardous condition including potential Sanitary Sewer Spills and threaten the safety of persons and property, including critical public infrastructure; and


**WHEREAS**, such conditions are or are likely to be beyond the handling capability of the City's services, personnel, equipment, and facilities, requiring the use of outside contractors to conduct emergency repair; and

**WHEREAS**, the City provides this written notification to the San Mateo County and State CalEMA's Regional and Headquarter offices of a proclamation of local emergency; and

**WHEREAS**, such proclamation shall be subject to confirmation by the Pacifica City Council at the earliest possible time.

**NOW, THEREFORE, BE IT PROCLAIMED** that, in accordance with State Law and the City of Pacifica Municipal Code, the Director of Emergency Services proclaims the existence of a local emergency along Carmel Avenue from Vallejo Terrace to Canyon Dr.

DATED: June 17, 2024

By:   
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Kevin Woodhouse  
Director of Emergency Services





# PROCLAMATION OF LOCAL EMERGENCY\_Carmel Sewer Line

Final Audit Report

2024-06-17

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## "PROCLAMATION OF LOCAL EMERGENCY\_Carmel Sewer Line" History

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