

Capitola City Council

Agenda Report



Meeting: February 23, 2023

From: City Manager Department

Subject: Wharf Update and Termination of Local Emergency

Recommended Action: Adopt a resolution terminating the Proclamation of Local Emergency.

Background: The California Emergency Services Act defines a local emergency as the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a city, caused by conditions beyond the control of the services, personnel, equipment, and facilities of a city.

Capitola Municipal Code Section 8.08.060 empowers the Director of Emergency Services (City Manager) for Capitola to proclaim the existence of a local emergency when the City is affected or likely to be affected by the existence of disaster or extreme peril which is, or is likely to be, beyond the control of the services, personnel, equipment and facilities of this City, requiring the combined forces of other political subdivisions to control.

On December 30 and 31, 2022, our region experienced a major rain event. As a result, flooding in Soquel Creek caused damage to public and private property and various other roads and infrastructure.

On January 4, 2023, the City Manager/Director of Emergency Services signed a Proclamation of Local Emergency. On January 6, 2023, the City Council ratified the Proclamation of Local Emergency.

Discussion: Since the City Council ratified the Proclamation of Local Emergency on January 6, 2023, staff has provided regular updates at City Council meetings on actions taken to address storm damages.

Government Code Section 8630 requires the Council to terminate the local emergency at the earliest possible date that conditions warrant.

Wharf Update: During the storm event on January 5, 2023, the Capitola Wharf sustained significant damages to both the midspan and head of the structure; including damages to decking, trestle, piles, lighting, and stairways as shown in Attachment 4. Prior to the storm damage, staff had intended on starting construction of the \$8 million Capitola Wharf Resiliency and Public Access Improvement Project (Wharf Resiliency Project) in October after the completion of the summer season.

The City engaged the engineering team on the Wharf Resiliency Project, Moffatt & Nichol, to complete a detailed cost estimate of the storm damages, which amount to approximately \$932,000 in capital repairs and \$200,000 in mobilization costs.

The City is currently in the process of obtaining funding for storm-related repairs through the Federal Emergency Management Agency (FEMA) Public Assistance Program. Staff anticipates the City will be able to start utilizing FEMA Public Assistance Program funds in May. Any work done prior to May would not be eligible for reimbursement through the Public Assistance Program.

Repairing the storm damage as a separate standalone emergency project would take around four months to complete, two months for the contractor to obtain materials and two months to build. Additionally, a standalone project would require additional permitting. If the City were to receive authorization to begin an emergency standalone storm repair project in May, construction on that project could be completed in September.

Assuming all these timelines could be met, proceeding with a standalone emergency repair means the wharf could theoretically be open for a couple weeks at the end of the summer, prior to it being closed for another 8-9 months to complete the overall Wharf Resiliency Project. Further, completing the projects separately would cost the City far more in total cost, likely hundreds of thousands of dollars.

Instead, Staff proposes repairing the storm damages in tandem with the previously planned Wharf Resiliency Project. This would reduce the overall cost of the storm damage repairs by removing the need for additional mobilization and would not require any additional permitting. Ideally, the project could be started earlier than the originally anticipated October start date, which would effectively get the wharf open sooner than by proceeding with separate projects.

Moving up the start date for the Wharf Resiliency Project is dependent on Federal approvals to utilize the \$3.5M in U.S. Department of Housing and Urban Development (HUD) funding allocated to the City in December. The City is not authorized to begin the project until these funds are released by HUD through the Community Project Funding program.

Staff has determined that emergency conditions in the City have subsided, and thus termination of the state of emergency is warranted.

Fiscal Impact: Staff has submitted an Initial Damage Estimate to the Santa Cruz County Office of Response, Recovery & Resiliency as a part of a County-wide submittal to CalOES. There is no fiscal impact associated with the actions listed in this report.

Attachments:

1. Proclamation of Local Emergency
2. Resolution Ratifying the Local Emergency
3. Resolution Terminating the Local Emergency
4. Capitola Wharf Storm Damage Assessment

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Approved By: Jamie Goldstein, City Manager