

**RESOLUTION NO. 2024-38**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CLEARLAKE RATIFYING THE EXISTENCE OF A LOCAL EMERGENCY AS PROCLAIMED BY THE DIRECTOR OF EMERGENCY SERVICES AND REQUESTING THE GOVERNOR TO PROCLAIM A STATE OF EMERGENCY FOR THE CITY OF CLEARLAKE DUE TO THE BOYLES FIRE**

**WHEREAS**, City of Clearlake Municipal Code Section 2-11.6 empowers the Director of Emergency Services to proclaim the existence of a local emergency when the City is affected by a public calamity and the City Council is not in session; and

**WHEREAS**, City of Clearlake Municipal Code Section 2-11.5 denotes that the City Manager is the Director of Emergency Services for the City; and

**WHEREAS**, conditions of extreme peril to the safety of the persons and property have arisen within the City of Clearlake, caused by the Boyles Fire, which commenced on September 8, 2021; and

**WHEREAS**, on September 8<sup>th</sup>, the Director of Emergency Services, Alan Flora, proclaimed the existence of a local emergency within the City of Clearlake; and

**WHEREAS**, at the time of the Director's proclamation, the City Council of the City of Clearlake was not in session; and

**WHEREAS**, the City Council of the City of Clearlake hereby finds the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency in the City Clearlake; and

**WHEREAS**, the City Council does hereby find that local resources are unable to cope with the effects of said emergency; and

**WHEREAS**, the Director of Emergency Services requested the City Council to ratify the existence or threatened existence of a local emergency when the City Council is next in session; and

**WHEREAS**, the Director of Emergency Services requested the Governor of the State of California to declare a State of Emergency in the City of Clearlake and provide assistance through the California Disaster Assistance Act.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CLEARLAKE DOES HEREBY RESOLVE AS FOLLOWS:**

**NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED** that the City Council hereby confirms and proclaims a disaster or local emergency throughout the City of Clearlake due the existence or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the City of Clearlake; and

**IT IS FURTHER RESOLVED AND ORDERED** the Director of Emergency Services's Proclamation of the existence of a disaster and request to the Governor of the State of California to declare a State of Emergency in the City of Clearlake and provide assistance through the California Disaster Assistance Act is hereby ratified and confirmed; and

**IT IS FURTHER RESOLVED AND ORDERED** that the disaster shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Clearlake; and

**IT IS FURTHER RESOLVED AND ORDERED** that a copy of this Resolution be forwarded to the State Director of the Office of Emergency Services; and

**IT IS FURTHER RESOLVED AND ORDERED** that Alan Flora, City Manager, is the Director of Emergency Services, and is hereby designated the authorized representative of the City of Clearlake for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available State and Federal assistance; and

**IT IS FURTHER RESOLVED AND ORDERED** that during the existence of said disaster, that powers, functions and duties of the disaster and emergency services of this City shall be those prescribed by state law, by ordinances and resolutions of the City of Clearlake.

Effective Date. This Resolution shall be effective immediately.

Passed and adopted at a regular meeting of the City of the City of Clearlake on the 12<sup>th</sup> day of September, 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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David Claffey, Mayor

Attest:

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Melissa Swanson, City Clerk