



City of Etna

AGENDA FOR AN EMERGENCY MEETING OF THE ETNA CITY COUNCIL

DATE OF THE MEETING: July 11, 2024

TIME OF THE MEETING: 5:30 pm

PLACE OF THE MEETING: 442 Main Street Etna, CA, and TELECONFERENCE (Zoom)

1. Call to Order
 - a. Pledge of Allegiance
 - b. Roll Call
2. Public Comment – Agenda Items - The City Council cannot take action or comment or comment on non-agenda items
3. CURRENT BUSINESS
 - a. Resolution 2024-009 – A Resolution of the City Council of the City of Etna Confirming the Proclamation of Existence of a Local Disaster Made by the Director of Civil Defense and Disaster on July 11, 2024 (Shelly Fire)
 - b. Resolution 2024-010 – Proclamation of the Existence of a Disaster by the Director of Civil Defense and Disaster of the City of Etna (Shelly Fire)
4. ADJOURNMENT

Zoom Teleconference Information:

Phone: 1-669-444-9171 US Meeting ID: 890 0822 1901

<https://us06web.zoom.us/j/89008221901>

The City of Etna does not discriminate based on disability in the admissions or access to, or treatment of or employment in, its programs or activities. Disability-related aids or services, including printed information in alternate formats, to enable persons with disabilities to participate in public meetings are available. If any accommodations are needed, please contact Pamela Eastlick at 530-467-5256 p.eastlick@etnaca.com. Requests should be made as soon as possible but recommended between three days to one week prior to the scheduled meeting.

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AGENDA ITEM REPORT

CONFIRMATION OF PROCLAMATION BY DIRECTOR OF CIVIL DEFENSE AND DISASTER OF THE EXISTENCE OF A LOCAL DISASTER

EXECUTIVE SUMMARY:

Staff recommends the City Council Adopt a Resolution Confirming the Proclamation by the Director of Civil Defense July 11, 2024 of the Existence of a Local Disaster due to the Shelly Fire.

DISCUSSION:

Under the California Emergency Services Act, local agencies are authorized to create local disaster councils by ordinance. The City of Etna has an established Civil Defense and Disaster Council Section in Chapter 2.32 of the Etna City Code. (Ord. 46). The attached Resolution appoint City Administrator Jeff Mitchem as The Director of Civil Defense and Disaster. The Director of Civil Defense and Disaster may proclaim a local emergency if the City Council is not in session. (EMC Section 2.32.050.A). The City Council is required to take action to ratify the proclamation at the earliest practicable time, no longer than 7 days after proclamation. (EMC 2.32.050.A; Gov. Code 8630).

A "Disaster" is defined as an "actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity." (EMC 2.32.020.B).

On July 7, 2024 at 6 a.m. the Director of Civil Defense and Disaster was made aware of expansion of the Shelly Fire's perimeter eastward toward the City of Etna. Though neither Evacuation Warning (Level 2) or Evacuation Order (Level 3) have been issued, the Director advises Council take this action as a matter of public safety.

Acting under this authority, the Director of Civil Defense and Disaster proclaimed the existence of a local disaster on July 11, 2024 due to the Shelly Fire. The Director of Civil Defense and Disaster recommends that the City Council adopt the attached resolution to ratify this declaration of a local emergency.

RECOMMENDED ACTION:

Adopt a Resolution Confirming the Proclamation by the Director of Civil Defense and Disaster of the Existence of a Local Disaster.



RESOLUTION NO. 2024-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ETNA
CONFIRMING THE PROCLAMATION OF EXISTENCE OF A LOCAL DISASTER
MADE BY THE DIRECTOR OF CIVIL DEFENSE AND DISASTER ON JULY 11, 2024
(SHELLY FIRE)

WHEREAS, Section 2.32.050 of the Etna Municipal Code empowers the Director of Civil Defense and Disaster to proclaim a local disaster if the City Council is not in session and requires that the City Council shall take action to ratify the proclamation at the earliest practicable time; and

WHEREAS, Government Code section 8630 authorizes local governing bodies to proclaim local emergencies when such events occur as are defined by Government Code section 8558(c), provided further that the local governing body, under Government Code section 8630, must review the local emergency at least every sixty (60) days until the emergency is declared to be terminated and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant;

WHEREAS, conditions of extreme peril to the safety of persons and property arose within the City of Etna, as a result of the eastward expansion of the perimeter of the Shelly Fire at which time the City Council of the City of Etna was not in session; and

WHEREAS, the Director of Civil Defense and Disaster did proclaim the existence of a local disaster within the City on July 11, 2024.

WHEREAS, the City Council does hereby find that the above-described conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local disaster in the vicinity of the City of Etna pursuant to the Etna Municipal Code; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Etna that the Proclamation of Existence of a Disaster, as issued by the Director of Civil Defense and Disaster on July 11, 2024, is hereby ratified and confirmed.

BE IT FURTHER RESOLVED that the local disaster shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Etna.

ADOPTED by the City Council of the City of Etna at a emergency meeting of said Council held on July 11, 2024 by the following vote:

AYES:

NOES:

ABSENT:

Cliff Munson, Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

City Attorney



RESOLUTION NO. 2024-010

PROCLAMATION OF THE EXISTENCE OF A DISASTER
BY THE DIRECTOR OF CIVIL DEFENSE AND DISASTER
OF THE CITY OF ETNA
(SHELLY FIRE)

WHEREAS, Section 2.32.050.A of the Etna Municipal Code empowers the Director of Civil Defense and Disaster to proclaim the existence or threatened existence of a disaster when the City is affected or likely to be affected by a disaster and the City Council is not in session; and

WHEREAS, City Council designate City Administrator Jeff Mitchem, as Director of Civil Defense and Disaster of the City of Etna; and

WHEREAS, City Administrator Jeff Mitchem, as Director of Civil Defense and Disaster of the City of Etna, does hereby find that:

1. Conditions of extreme peril to the safety of persons and property have arisen within the City of Etna to create a public calamity due to the Shelly Fire and
2. That the City Council of the City of Etna in emergency session on July 11, 2024 acts under separate resolution to ratify the proclamation of the existence of a local disaster made by the Director of Civil Defense and Disaster.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a local disaster now exists throughout the City; and

IT FURTHER PROCLAIMED AND ORDERED that during the existence of this local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, and resolutions of this City, and by the City of Etna Civil Defense and Disaster Council.

Signed and Declared. Date: July 11, 2024

Time: 5:30 p.m.

Jeff Mitchem
Civil Defense and Disaster Director

APPROVED AS TO FORM:

/s/ Andrew L. Jared
Andrew L. Jared, City Attorney