COUNTY OF GLENN
AGENDA ITEM TRANSMITTAL

MEETING DATE: October 16, 2007
Submiting Department(s):
Office of Emergency Services

BRIEF SUBJECT/ISSUE DESCRIPTION:
Request of Office Of Emergency Services Director Sheriff Larry Jones that the Board declare a potential emergency situation exists on the "J" Levee at River Mile 200.6 north of Hamilton City.

Contact: Mary Beth
Phone: 6441

AGENDA PLACEMENT

APPOINTMENT – Appearances by: (Specify Name & Title)
OES Director Sheriff Larry Jones

Required 5 Minutes

☐ Business – No ☐ Consent
☐ Correspondence ☐ Reports & Notices

AFFECTED DEPARTMENT(S)
P&PWA

☐ Receive Concurrence

ATTACHMENTS

☐ Board Report
☐ Letter
☐ Minute Order
☐ Contract
☐ Transfer
☐ Grant App.
☒ Resolution

LEGAL/PERSONNEL/FISCAL

☐ County Counsel
☐ Personnel
☐ Finance
☐ County Administrative Office

CLERK INSTRUCTIONS

☐ Return Minute Order
☐ Return Certified Copy Of:

☐ Other:

PUBLIC HEARINGS & COMMITTEE VACANCIES

Public Hearings:
☐ Published
☐ Affidavit on File w/Clerk
☐ Affected Parties Notified

Committees:
☐ Vacancy Posted
☐ Application Attached

☐ State ☐ Federal

BILL#:
☐ Latest Version of Bill
☐ Draft Letter Attached
☐ List of Supporters/Opposers
☐ Statement of Relevance to County Interests
☐ Description Attached

☐ General Fund Impact
☐ Other: ______
☐ Budgeted
☐ Transfer Attached
☐ 4/5ths Vote Required
☐ Contingency Request

CONTRACTS, LEASES & AGREEMENTS

☐ New ☐ Renewal
☐ Amendment
☐ Insurance Certificate
☐ Contract Report

Date of Original Contract:
Contract No.:
Fiscal Year:

RECOMMENDED ACTION/MOTION:
Board approve attached Resolution declaring that a potential emergency situation exists at the "J" Levee.

Reviewed By (if applicable):

Sheriff Larry Jones

Personnel Director

Department of Finance

County Administrative Officer

cc:
EXECUTIVE SUMMARY:
As the Director of Emergency Services I am requesting that the Board declare that a potential emergency situation exists on the “J” Levee north of Hamilton City which is a threat to public health and safety.

RECOMMENDATION(S):
Adopt attached Resolution declaring this situation does exist.

HISTORY AND BACKGROUND:
After several years and numerous meetings, the Department of Water Resources (State of California) has identified and confirmed that the “J” Levee is in urgent need of repair, and that without action it is in danger of breaching during times of high water.

The deteriorating condition of the “J” Levee is well know to this Office and the Board and you have been working in conjunction with the Hamilton City Levee District Committee to secure funding for a new levee. 2006 we appeared before the Board and advised you of a declaration of dangerous conditions on the “J” Levee and the immediate need for repair.

Conditions have now reached such a level that emergency repairs are no longer feasible and the proposed reinforcement repair by the Planning and Public Works Agency are in the best interests of the citizens of the County and meet the requirements of CA Government Code Section 8630 authorizing the Board to proclaim such a emergency situation does exist.

FISCAL/PERSONNEL IMPACT(S):
Refer to P&PW's requests and Resolution submitted this date.

ANALYSIS/DISCUSSION:

All items transmitted by a County Department or Agency for inclusion in the agenda for Board of Supervisors action must include all background and analysis necessary for the Board to make an informed decision. Failure to provide adequate information, analysis, or backup could result in the matter not being added to the agenda and returned to the department for additional information.
BOARD OF SUPERVISORS, GLENN COUNTY, CALIFORNIA

RESOLUTION NO. 2007-___

A RESOLUTION OF THE GLENN COUNTY BOARD OF SUPERVISORS DECLARING THAT A POTENTIAL EMERGENCY SITUATION EXISTS AT THE “J” LEVEE NORTH OF HAMILTON CITY AT SACRAMENTO RIVER MILE 200.6

WHEREAS, on February 24, 2006, Governor Schwarzenegger issued a proclamation which declared that a state of emergency exists for California’s levee system (attached as Exhibit A); and

WHEREAS, during a study conducted at the behest of the Glenn County Direct of Emergency Services, the California Department of Water Resources (DWR) has determined that the “J” levee at Sacramento River Mile 200.6 has eroded to the point of being in imminent danger of failure during a high water event; and

WHEREAS, Government Code §8630 et al and County Code Chapter 2.52 et al. empowers the Glenn County Board of Supervisors to proclaim the existence or threatened existence of a local emergency when said County is affected or threatened by a public calamity; and

WHEREAS, the Board of Supervisors has been requested by the Director of Emergency Services of Glenn County proclaim the existence of a local emergency therein; and

WHEREAS, there exists the threat of disaster and extreme peril to the safety of persons and property within Glenn County during the coming rainy season caused by the imminent danger of failure of the “J” levee during a high water event at Sacramento River Mile 200.6, located just north and east of the unincorporated town of Hamilton City; and

WHEREAS, the primary protection from Sacramento River flood waters for Hamilton City has historically been the “J” levee, a very old earthen facility built approximately 100 years ago, which is owned by The Nature Conservancy (TNC), located on Assessor’s Parcel No. 032-230-016, located on the west bank of the river at River Mile 200.6; and

WHEREAS, the base/foundation of the “J” levee is being undercut by the westward meander of the Sacramento River, with several feet of the existing structure lost to the River in the past few years; and
WHEREAS, the town of Hamilton City and its resident population of over 2,000 individuals, located in the unincorporated area of Glenn County, has been threatened by flood water damage to the “J” levee by the River at least four times since 1993; and

WHEREAS, the DWR has recommended that the area of questionable integrity at River Mile 200.6 should be reinforced as soon as is practicable, so that a completely new levee might be designed, funded and completed in order to better protect the area; and

WHEREAS, in the opinion of the Director of the Glenn County Office of Emergency Services, as a direct result of the DWR findings as to the condition of the existing levee, a threat of imminent flooding exists to the citizens of Glenn County in and around Hamilton City.

NOW, THEREFORE, THE GLENN COUNTY BOARD OF SUPERVISORS DOES HEREBY DECLARE that said local emergency, as described above, does exist.

THIS RESOLUTION WAS PASSED by the Board of Supervisors of the County of Glenn at a regular meeting thereof held on October 16, 2007, by the following vote:

AYES:
NOES:
ABSTAIN OR ABSENT:

[Signature]
CHAIR, Board of Supervisors
Glenn County, California

ATTEST:

[Signature]
David Shoemaker, CAO

GLENN COUNTY OFFICE OF EMERGENCY SERVICES:

Larry Jones, Sheriff

APPROVED AS TO FORM:

[Signature]
Thomas Agin, County Counsel
BOARD OF SUPERVISORS, GLENN COUNTY, CALIFORNIA

RESOLUTION NO. 2007-___

A RESOLUTION AUTHORIZING THE PUBLIC WORKS DEPARTMENT TO ENTER ON TO PRIVATE PROPERTY TO PERFORM EMERGENCY REINFORCEMENT OF THE "J" LEVEE BY WIDENING THE EXISTING LEVEE IN ORDER TO INCREASE ITS VIABILITY UNTIL A PERMANENT SETBACK LEVEE CAN BE CONSTRUCTED

WHEREAS, Glenn County does not hold an easement over the existing "J" levee and has never accepted an easement for same; and

WHEREAS, Glenn County does neither request nor accept a permanent easement for the project; and

WHEREAS, the Glenn County Department of Public Works has estimated that the cost of such emergency work should not exceed $300,000; and

WHEREAS, DWR has represented to Glenn County that, as a result of the Governor's emergency declaration, a grant is available to fund fifty percent (50%) of the costs associated with this work; and

WHEREAS, DWR has represented to Glenn County that in-kind contributions can be utilized to fund the County match of the remaining fifty percent (50%); and

WHEREAS, the Glenn County Department of Public Works expects to fully fund the County match with in-kind contributions; and

WHEREAS, the Board of Supervisors recognizes that the Flood Control Budget may be called upon to fund some of the fifty percent (50%) County match; and

WHEREAS, all applicable permits for this construction work are being pursued by the Glenn County Department of Public Works; and

WHEREAS, the Glenn County Department of Public Works will not commence work until all applicable permits are secured; and

WHEREAS, it is with the understanding that the County and any of its Departments do not accept liability for operation of or responsibility for ongoing maintenance, removal, alteration, relocation, or reconstruction of either the existing "J" levee and/or the proposed widening project as herein described once the construction project is completed by the County.

NOW, THEREFORE, THE GLENN COUNTY BOARD OF SUPERVISORS DOES HEREBY DECLARE that said local emergency does exist; and
IT IS FURTHER PROCLAIMED AND ORDERED as follows:

1. Under its police powers, a sufficient threat exists to the health and safety of the residents of Glenn County in and around Hamilton City to justify the performance of emergency construction for the purpose of widening the “J” levee at Sacramento River Mile 200.6, as described above; and

2. Such emergency measures, consisting of emergency construction for the purpose of widening the “J” levee at Sacramento River Mile 200.6, as described above, require the entry of County personnel and the expenditure of public funds on a facility which is located on private property; and

3. The Director of the Glenn County Planning and Public Works Agency is authorized to execute the necessary documents and to take or direct such other actions as required in order to effect the completion of such emergency measures and protect the residents of Glenn County; and

4. The required fifty percent (50%) match is anticipated to be met by a combination of in-kind contributions and financial consideration from the property owner, TNC; and

5. In the event the fifty percent (50%) match is not met by the combination of in-kind contributions and financial consideration from TNC, Glenn County Planning and Public Works Agency staff will return to your Board and seek funds from the Glenn County Flood Control budget for the performance of such emergency measures; and

6. In accordance with Government Code § 86309(c)(1), the need for continuing the local emergency will be reviewed at each regularly scheduled meeting of the Board of Supervisors until the local emergency is terminated.

THIS RESOLUTION WAS PASSED by the Board of Supervisors of the County of Glenn at a regular meeting thereof held on October 16, 2007 by the following vote:

AYES:

NOES:

ABSTAIN OR ABSENT:

CHAIR, Board of Supervisors
Glenn County, California

APPROVED AS TO FORM:

Thomas Agin, County Counsel

ATTEST:

David Shoemaker, CAO

PLANNING AND PUBLIC WORKS AGENCY:

Dan Obermeyer, Director