

**REPORT TO MAYOR AND COUNCIL****TO THE HONORABLE MAYOR AND COUNCIL:**

DATE: March 13, 2012

**SUBJECT: ADOPT RESOLUTION NO. 12-13 APPROVING THE ASSOCIATION OF BAY AREA GOVERNMENTS MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN AND THE ANNEX TO THE PLAN AS THE CITY'S LOCAL HAZARD MITIGATION PLAN**

**Report in Brief**

On October 30, 2000, the federal Disaster Mitigation Act of 2000 (DMA) was signed into law creating Public Law 106-390. The DMA requires local agencies to adopt an approved Hazard Mitigation Plan to be eligible for pre-disaster hazard mitigation funding. The DMA provides that a local agency may adopt a Local Hazard Mitigation Plan or participate in the preparation of and adopt a Multi-Jurisdictional Hazard Mitigation Plan. The City chose to pursue the more cost-effective option of participating in the Association of Bay Area Governments (ABAG) Multi-Jurisdictional Plan.

On July 26, 2005, the City Council approved the adoption of the City's current Local Hazard Mitigation Plan. This Plan includes an Annex section that is specific and applicable to Concord. The Annex to the Plan must be updated approximately every five years. Staff received a one-year extension in 2010 and has been working with FEMA to review the Annex to the Plan and provide comments. This year, the final Annex to the Plan must be approved and adopted by March 24, 2012.

Staff recommends that Council adopt Resolution No. 12-13, adopting the ABAG Multi-Jurisdictional Hazard Mitigation Plan including the Annex to the Plan, as the City's Local Hazard Mitigation Plan.

**Background**

The purpose of the DMA is to establish a national hazard mitigation program to reduce the loss of life and property, human suffering, economic disruption, and disaster assistance costs resulting from natural disasters. The DMA will also provide a source of pre-disaster hazard mitigation funding that will assist local governments in implementing effective hazard mitigation measures to ensure the continued functionality of critical services and facilities after a natural disaster. Pre-disaster mitigation fund grant programs that the Federal Emergency Management Agency (FEMA) oversees include:

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- Hazard Mitigation Grant Program (HMGP) – Provides up to 75% of eligible project costs for cost-effective measures that reduce the risk of damage and human suffering from future disasters;
- Flood Mitigation Assistance (FMA) – Provides assistance and grants to communities with repetitive losses that will reduce the risk of flood damage to structures insurable under the National Flood Insurance Program (NFIP). FMA provides grants up to 75% for both planning and projects on an annual basis; and
- Pre-Disaster Mitigation (PDM) – This program, administered by the Office of Emergency Services (OES), supports local communities in their efforts to reduce the risk of damage from natural disasters such as earthquakes, fires and flooding. The eligible projects include detention basins and seismic retrofit of public buildings to reduce earthquake damage.

The Multi-Jurisdictional Plan for the City of Concord consists of two parts – the Umbrella Plan (Attachment 2) and the Annex to the Plan (Attachment 3). The Umbrella Plan, entitled “Taming Natural Disasters,” adopted by ABAG on March 17, 2005, is the same plan used by all participating agencies. The Annex to the Plan is specific to each participating agency. Staff attended numerous FEMA, OES and ABAG workshops and seminars during the development of the Multi-Jurisdictional Plan and the Annex to the Plan. The Annex to the Plan describes:

- The planning process – the City’s efforts during the development of the Hazard Mitigation Plan.
- The Hazard and Risk Assessment process and the results of that Assessment.
- The process for identifying the mitigation activities and setting the priorities.
- The process for maintaining and updating the Plan.

The Annex to the Plan must be updated every five years and adopted by the City Council. The five year update to the Annex to the Plan was due a year ago, but the City was granted a one-year extension in 2010. This year, the final Annex to the Plan must be approved and adopted by March 24, 2012. The Plan has been delayed by FEMA who is reportedly “unfortunately extremely understaffed and not able to review plans in a timely manner” and strongly recommends each jurisdiction adopt their Plan in anticipation of the March 24, 2012 due date.

Adoption of the Multi-Jurisdictional Hazard Mitigation Plan, including the Annex to the Plan, commits the City to pursue mitigation strategies (Attachment 4) described in the Plan and to comply with Clean Water Act mandates under the City’s National Pollutant Discharge Elimination System (NPDES) Permit. The City already implements many of the mitigation strategies through various on-going programs. For example, developments must comply with NPDES requirements through the project review and plan review process as well as the construction inspection phase of the development.

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**Discussion**

As part of the Annex to the Plan, the City is required to provide a status of on-going mitigation projects and strategies and propose new mitigation projects to reduce the number of public and private buildings within the City that are vulnerable to the effects of earthquakes and other hazards. Additionally, future and on-going mitigation strategies must be undertaken by priority, based on the Risk Assessment section of the Annex to the Plan.

The City has been working on six on-going mitigation projects since the Local Hazard Mitigation Plan (LHMP) was adopted in 2005 (Attachment 3, Exhibit C). These projects include:

1. Identifying a back-up Emergency Operations Center: Staff is currently reviewing several facilities to accommodate the level of technology now associated with disaster emergency response, as a back-up EOC. The Sleep Train pavilion is currently the designated alternate EOC.
2. Expedite the funding and retrofit of seismically-deficient city owned bridges and road structures: Concord received a \$458,000 grant from Caltrans to develop a Bridge Preventive Maintenance Program (BPMP). The BPMP was submitted to Caltrans in 2006. 21 of the 31 bridges were approved. Caltrans provided Concord with another grant for the Preliminary Engineering phase (Design and Environmental phase).
3. Set up memoranda of understanding for use of education facilities as emergency shelters: Concord updated the Statement of Understanding (SOU) with American Red Cross Bay Area in 2008, including an update of shelter sites on schools and city facilities. In 2009 Concord joined the planning committee for Interagency Disaster Alliance of Contra Costa (IDACC) in the development of preparing and training community and faith-based organizations to collaboratively respond to disasters.
4. Develop training of school district personnel and City staff to identify hazards and provide structural evaluation of schools to serve as potential emergency shelters after disaster events: In 2010 Concord held a county-wide Care & Shelter drill with the American Red Cross Bay Area. All appropriate staff and volunteers within the City of Concord are ARC trained. Additionally, Concord purchased two shelter kits that have been placed on site of designated shelter facilities. Concord's Emergency Core Team and Disaster Council have added representatives from Mt. Diablo Unified School District as committee members.
5. Develop training of school district personnel and City staff as disaster service workers: In 2009 Concord's Emergency Core Team and Disaster Council added representatives from Mt. Diablo Unified School District as committee members.
6. Develop culturally appropriate materials related to disaster mitigation and preparedness: In 2009/2010 in collaboration with Contra Costa County Health Services the Office of Emergency Services, Concord distributed education materials to prevent H1N1 in English, Spanish, Laotian, Vietnamese and Farsi and continues to educate in multiple diverse and culturally appropriate languages.

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New mitigation projects that were included in the 2010 Annex to the Plan (Attachment 3, Exhibit D) include:

1. Conduct an inventory for the seismic retrofit of Soft Story Buildings (structures with column or open panel support on the ground floor) within the City and develop strategies to retrofit the structures and provide technical assistance and education;
2. Develop agreements with The Cooperative Purchasing Network for competitive bids and award contracts for commonly purchased products and services, including emergency power generation;
3. Promote communication with Emergency Response State and local agencies;
4. Encourage City staff and elected officials training opportunities by attending local or regional hazard conferences and workshops;
5. Install alert and warning systems for rapid evacuation or shelter-in-place;
6. Increase efforts to enforce provisions to keep waterways free of obstructions reduce landslides and erosion in existing and future private development;
7. Develop and implement a program to control invasive and exotic species that contribute to fire and flooding hazards (such as eucalyptus, cattails, and cordgrass);
8. Evaluate feasibility of Detention Basin at CSU Hayward-East Bay Campus to reduce flooding within Mt. Diablo Creek watershed.

**Fiscal Impact**

Adoption of the ABAG Multi-Jurisdictional Hazard Mitigation Plan and the updated Annex to the Plan will make the City eligible for pre-disaster mitigation funds as described under the Background section of this report. Typically, the grants have a 25% match requirement. Staff will evaluate the adopted 10-Year CIP Plan to identify projects that may qualify for any of FEMA's pre-disaster mitigation grant programs. These programs include: Hazard Mitigation, Flood Mitigation, Severe Loss and Repetitive Flood Claims. Staff has identified approximately \$500,000 in Drainage Area fees to serve as match for these programs if feasible.

**Public Contact**

The City Council agenda was posted.

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**Recommendation for Action**

Staff recommends the City Council adopt Resolution No. 12-13, adopting the Association of Bay Area Governments Multi-Jurisdictional Hazard Mitigation Plan including the Annex to the Plan, as the City's Local Hazard Mitigation Plan.



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Attachment 1: Resolution No. 12-13

Attachment 2: ABAG's Umbrella Multi-Jurisdictional Hazard Mitigation Plan, "Taming Natural Disasters"

Attachment 3: City of Concord's Annex to the Hazard Mitigation Plan

Attachment 4: City of Concord's Mitigation Strategies

**CERTIFIED COPY**

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD  
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Adopting ABAG (Association of Bay Area Governments) Multi-Jurisdictional Hazard Mitigation Plan, Including the Annex to the Plan, as the City of Concord's Local Hazard Mitigation Plan**

**Resolution No. 12-13**

**WHEREAS**, the Bay Area is subject to various earthquake-related hazards such as ground shaking, liquefaction, landsliding, fault surface rupture, and tsunamis; and

**WHEREAS**, the Bay Area is subject to various weather-related hazards including wildfires, floods, and landslides; and

**WHEREAS**, the City of Concord recognizes that disasters do not recognize city, county, or special district boundaries; and

**WHEREAS**, the City of Concord seeks to maintain and enhance both a disaster-resistant City of Concord and region by reducing the potential loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters; and

**WHEREAS**, the City of Concord is committed to increasing the disaster resistance of the infrastructure, health, housing, economy, government services, education, environment, and land use systems in the City of Concord, as well as in the Bay Area as a whole; and

**WHEREAS**, the federal Disaster Mitigation Act of 2000 (Act) requires all cities, counties, and special districts to adopt a Local Hazard Mitigation Plan to receive disaster mitigation funding from FEMA; and

**WHEREAS**, ABAG has approved and adopted the ABAG report *Taming Natural Disasters*, created in collaboration with the participating jurisdictions, as the multi-jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area.

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

**Section 1.** Adopts, and adapts with its local annex, the multi-jurisdictional plan as its Local Hazard Mitigation Plan.

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1           **Section 2.** To continue to commit to taking those actions and initiating further actions, as  
2 appropriate, as identified in the City of Concord Annex of the Multi-Jurisdictional Local Hazard  
3 Mitigation Plan by adopting this list of mitigation strategies as the Implementation Appendix of the  
4 Safety Element of it's General Plan.

5           **Section 3.** This resolution shall become effective immediately upon its passage and adoption.

6           **PASSED AND ADOPTED** by the City Council of the City of Concord on March 13, 2012,  
7 by the following vote:

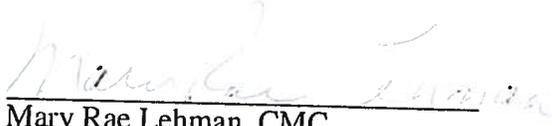
8 **AYES:**           Councilmembers - T. Grayson, D. Helix, L. Hoffmeister, W. Shinn, R. Leone

9 **NOES:**           Councilmembers - None

10 **ABSTAIN:**       Councilmembers - None

11 **ABSENT:**        Councilmembers - None

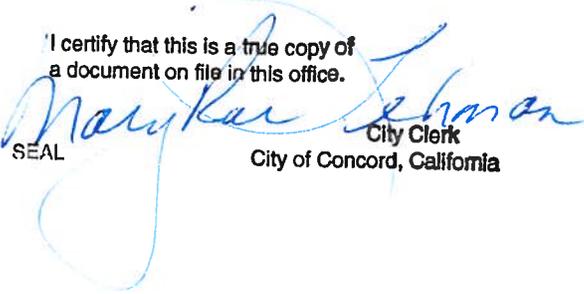
12           **I HEREBY CERTIFY** that the foregoing Resolution No. 12-13 was duly and regularly  
13 adopted at a regular joint meeting of the City Council of the City of Concord on March 13, 2012.

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Mary Rae Lehman, CMC  
City Clerk

17 **APPROVED AS TO FORM:**

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20 Mark S. Coon  
Acting City Attorney

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23 I certify that this is a true copy of  
a document on file in this office.

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SEAL

City Clerk  
City of Concord, California