



CITY OF

NEWPORT BEACH

City Council Staff Report

March 28, 2023
Agenda Item No. 3

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: Joe Cartwright, Chief of Police - 949-644-3701,
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TITLE: Resolution No. 2023-16: Proclaiming a Local Emergency Due to the
Ongoing Winter Storms and Related Storm Damage

ABSTRACT:

Newport Beach has been impacted by an onslaught of winter storms with little respite in-between. From December 2022 through the present, the community has experienced high surf, coastal flooding, and land saturation. In response to these winter storms, the City of Newport Beach (City) has mobilized resources to evacuate and provide support to residents. More storms are expected in the coming weeks and staff is recommending that the City Council proclaim a local emergency in accordance with Chapter 2.20 (Emergency Services) of the Newport Beach Municipal Code, which will allow the City to continue to provide support to residents and apply for state and federal financial assistance.

RECOMMENDATIONS:

- a) Determine this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15269(c) (the activity is necessary to prevent or mitigate an emergency), 15060(c)(2) (the activity will not result in a direct or reasonable foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly; and
- b) Adopt Resolution No. 2023-16, *A Resolution of the City Council of the City of Newport Beach, California, Proclaiming a Local Emergency Due to the Ongoing Winter Storms and Related Storm Damage.*

DISCUSSION:

The State of California (State) is experiencing record winter storms. As a result, Governor Newsom has declared a State of Emergency in over forty counties to provide necessary resources to protect persons and property. In addition, on March 14, 2023, the Orange County Board of Supervisors Proclaimed a Local Emergency on behalf of many jurisdictions within Orange County, including Newport Beach. That same day, Governor Newsom added Orange County to the existing Proclaimed State Emergency and the State is currently working with the Federal Emergency Management Agency to add Orange County to the Presidential Emergency Declaration.

Similar to other jurisdictions throughout the State, Newport Beach has been impacted by the 2022-23 winter storms and the community has experienced high surf, coastal flooding, and land saturation. Newport Beach typically receives an average of 9.43 inches of rain annually, but it has received over 13.37 inches of rain since December 2022.

In response to these winter storms, the City has mobilized significant resources to evacuate and provide support to residents including assisting residents on Galaxy Drive after a landslide occurred on March 3, 2023. More storms are expected in the coming weeks that may require additional resources.

Chapter 2.20 (Emergency Services) of the Newport Beach Municipal Code provides for the preparation and implementation of plans to provide services within Newport Beach in the event of an emergency. Staff recommends that the City Council adopt Resolution No. 2023-16, proclaiming a local emergency, which will allow the City to continue to support residents and apply for federal and state financial assistance.

FISCAL IMPACT:

It is not known at this time what the final cost of repairing the damage caused by the storms will be, nor is it known what funding will be available from the state and/or federal governments. However, adoption of this resolution will preserve the City's ability to seek reimbursement if funding becomes available.

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15269(c) (the activity is necessary to prevent or mitigate an emergency), 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment), and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Division 6, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).

ATTACHMENT:

Attachment A – Resolution No. 2023-16