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RESOLUTION NO. 2015-32

A RESOLUTION OF THE CITY OF LINCOLN CITY DECLARING AN EMERGENCY CONCERNING DECEMBER 2015 STORM EVENT CAUSING DAMAGE TO PUBLIC PROPERTY FACILITIES AND INFRASTRUCTURE; AUTHORIZING AN EXEMPTION FROM PUBLIC CONTRACTING PROCEDURES FOR PURPOSES OF EXPEDITING REPAIR AND CONSTRUCTING IMPROVEMENTS

RECITALS

- A. Resolution No. 2008-03 provides authority to the City Council to declare an emergency and appoint an emergency manager of the city.
- B. Resolution No. 2008-04 appoints the City Manager as the emergency manager of the city.
- C. On December 10, 2015, Kate Brown, Governor of Oregon, declared an emergency in Lincoln County and several other counties in the State of Oregon beginning December 10, 2015, and continuing until further notice.
- D. On December 21, 2015, Lincoln County declared an emergency pursuant to Resolution 15-21-12, beginning on December 7, 2015.
- E. The conditions constituting the emergency in the city of Lincoln City are as follows: beginning on December 7, 2015, and continuing to this date, rain has saturated the Oregon Coast, including areas within the City Limits of the City of Lincoln City, in anticipated record amounts in both duration and intensity and when coupled with periodic high winds, has caused damage to roads and public works facilities through sinkholes, landslides, local flooding, and overflowing and damaged public utilities.
- F. Conditions continue to remain unstable with continued forecast of rain and wind.
- G. The initial damages and impacts include considerable overtime work by public entities responding to emergencies, repairs to roads, public utilities and facilities, and property damaged by slides, and sinkholes.
- H. The city has committed public resources including public safety and public works department crews and contracted service to address landslides, sanitary sewer system, storm system and other impacts on infrastructure and with additional precipitation, the impact of previous and additional forecasted precipitation will likely continue to damage public property.

- 1 I. Under Resolution 2008-03, an emergency situation exists when the health, safety or
2 welfare of the city or a portion of the city is threatened by a potential or actual
3 natural disaster, accident, act of war or terrorism, disease, or other event or ongoing
4 occurrence that results in an immediate and substantial threat to life, health, or
5 property.
- 6 J. The City Manager recommends the City Council declare an emergency for the city
7 to be able to address damage that has occurred and to respond to the threat of
8 additional occurrences that are likely with the current weather pattern continuing
9 into the future.

10
11 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
12 **LINCOLN CITY, AS FOLLOWS:**

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14 Section 1. The City Council, under the authority vested in it by ORS 401.35 et seq. and
15 Resolution no. 2008-03, by unanimous vote on December 28, 2015, declares an
16 emergency exists in the City of Lincoln City. The emergency conditions described above
17 are such that city residents are in danger of disruption of transportation and public
18 utilities. Further, it is necessary to take any immediate additional measures required to
19 protect public health, safety and welfare in order to minimize destruction of property or
20 the environment resulting from excessive rainfalls which have led to slides, road
21 damage, damage to the sanitary sewer system, damage to the storm sewer system,
22 damage to the water system, and other public infrastructure within the City of Lincoln
23 City. Furthermore the Council determines the potential for additional damage is
24 significant should the weather pattern of the past two weeks continue as forecasted.

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26 Section 2. The geographic area to which this emergency applies is generally described
27 as the entire area within the city limits of Lincoln City.

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29 Section 3. In accordance with ORS 401.309 the City Council formally submits this
30 request through the Lincoln County Board of Commissioners to the Governor to
31 facilitate the assessment of public damages to include in a federal emergency
32 declaration request and to provide necessary state resources to address continued
33 clean-up, recovering, and mitigation of this event.

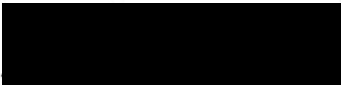
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35 Section 4. The City Council authorizes the City Manager or the Manager's Designee to
36 take necessary action as provided in Resolution 2008-03 with reports being provided
37 back to the City Council at each subsequent City Council meeting as to resources
38 utilized to address the emergency situations existing in the City of Lincoln City and any
39 specific actions in accordance with the declaration.

1 Section 5. The recitals of this resolution are adopted herein by reference as findings in
2 support of this declaration of emergency.

3
4 Section 6. This Emergency Declaration will continue through January 21st unless
5 extended or terminated earlier by the City Council. This resolution is effective
6 immediately upon adoption and shall take effect nunc pro tunc as of December 7, 2015.

7
8 Adopted by the City Council of the City of Lincoln City on December 28, 2015.

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11 _____
12 Don Williams, Mayor

13
14 ATTEST:
15 
16 _____
17 Cathy Steere, City Recorder

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