RESOLUTION - ACTION REQUESTED 2017-804

MEETING: December 5, 2017

TO: The Board of Supervisors

FROM: Dallin Kimble, County Administrative Officer

RE: Ratify Letter to FEMA

RECOMMENDATION AND JUSTIFICATION:
Ratify a Letter to the Federal Emergency Management Agency (FEMA) Requesting Funding for Remaining Projects in Accordance with the Presidential Declaration.

On April 2, 2017, President Donald Trump executed a Presidential Disaster Declaration in conjunction with major winter storm events that dramatically affected numerous California counties in February 2017. For several months, our county has worked closely with FEMA and CalOES to meet every funding requirement with minimal results. As winter fast approaches, funding delays have prolonged unnecessarily hazardous conditions that will worsen in icy conditions and threaten the safety and welfare of our community.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Board occasionally ratifies letters when necessary.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Do not ratify the letter, and direct staff to draft a letter withdrawing this letter.

ATTACHMENTS:
FEMA 2017 Letter (PDF)

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]
MOVER: Merlin Jones, District II Supervisor
SECONDER: Rosemarie Smallcombe, District I Supervisor
AYES: Smallcombe, Jones, Long, Cann, Menetrey
November 6, 2017

Honorable Brock Long
Administrator, Federal Emergency Management Agency
500 C Street, SW
Washington, D.C. 20472

Dear Administrator Long:

On April 2, 2017, President Donald Trump executed a Presidential Disaster Declaration in conjunction with major winter storm events that dramatically affected numerous California counties in February 2017. For seven months, our county has worked closely with FEMA and CalOES to meet every funding requirement with minimal results. As winter fast approaches, funding delays are prolonging unnecessarily hazardous conditions that will worsen in icy conditions and threaten the safety and welfare of our community. This letter is to ask for immediate and decisive action to fund remaining projects in accordance with the Presidential Declaration.

The need for safe, quality roads in Mariposa County cannot be understated. Mariposa County is a large-acreage gateway to Yosemite National Park. In addition to 18,000 local residents in a rural environment and 5 million annual visitors, roads in Mariposa are heavily trafficked by logging trucks responding to a statewide tree mortality disaster and fire equipment responding to the several wildfires our county experienced this summer. Two of those fires, the Detwiler Fire (82,000 acres burned) and the Railroad Fire (10,000 acres burned), merited Federal Management Assistance Grants (FMAG) to manage an appropriate response.

Damage from the February storms have made some Mariposa County roads unsafe. In one situation, a bank and shoulder along a newly-paved county thoroughfare have washed away and caused crumbling and narrowing of lanes below minimum standards. Under slippery conditions, vehicles are now at greater risk for collisions with oncoming traffic or falling off dangerous roadside drop-offs. Similar conditions exist across our county.

Since the February storms, County staff have been working diligently with both FEMA and CalOES staff to prepare and submit the required project work and documentation of costs in order to secure reimbursement funding. On as many as three separate occasions, we have escorted FEMA staff to the same sites to conduct inspections, assess damage, photo-document damaged infrastructure and geo-spatially locate the infrastructure damage. At the instruction of FEMA staff, we bid many of these projects more than once to the
detriment of our own credibility with the contracting community. When the Board of Supervisors has publicly questioned the financial solvency of FEMA in light of so many disasters, we have received assurances from both California and Washington D.C. offices that funds are on the way. Yet, we have only received two (2) fund obligation letters out of the eleven (11) projects that are beyond our capacity to contract for repair.

CalOES has now instructed our county to employ weatherization methods to protect damaged infrastructure from further storm damage. The instruction includes a threat against all potential reimbursements if winterization methods are insufficient or if additional damages occur. From an engineering perspective, the only fail-safe solution is the authorization of funding that will allow our low bidders to proceed with the work they are standing ready to begin. Funding threats are entirely inappropriate when the County has been ready to complete this work for more than six months while FEMA has responded with delay after delay.

If FEMA is as solvent as we have been assured, there is no reason to add to the hazardous road conditions we are experiencing with further delays. Mariposa County has bid each of the submitted projects as directed and in accordance with the FEMA procurement policies provided at the project kick-off meeting in April. We have supplied CalOES with a copy of the bids along with project engineer’s estimates for each project demonstrating the fair and reasonable bids that we received. We are confident that, with immediate action, we can complete much or all of this work before severe winter storms arrive.

Mariposa County is grateful for positive working relationships with FEMA and CalOES. We ask only that FEMA continue to do what President Trump and FEMA staff have told us your organization would do. Our desire is to move forward with critical infrastructure repairs that are needed to improve the safety of our roads and eliminate delays for our emergency vehicles. Thank you for your consideration.

Sincerely,

[Signature]

Marshall Long
Mariposa County Board of Supervisors, Chair

CC: Congressman Tom McClintock
    Senator Dianne Feinstein
    Senator Kamala Harris
    Senator Tom Berryhill
    Governor Jerry Brown
    Assembly Member Frank Bigelow
    Director Mark Ghilarducci