

REPORT TO CITY COUNCIL

DATE: AUGUST 28, 2024

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: NATHAN HAMBURGER, CITY MANAGER

BY: JOHN TREICHLER, ADMINISTRATIVE ANALYST
LOUIS CELAYA, DEPUTY CITY MANAGER

SUBJECT: REQUEST FOR APPROVAL OF RESOLUTION NO. 24-2080
APPROVING THE 2023 LAS VIRGENES-MALIBU COUNCIL OF
GOVERNMENT MULTI-HAZARD MITIGATION PLAN AND FINDING
THAT THE PROPOSED ACTION IS EXEMPT FROM CALIFORNIA
ENVIRONMENTAL QUALITY ACT

Under the Federal Disaster Mitigation Act of 2000 ("Mitigation Act"), local governments are required to develop and submit a local hazard mitigation plan to the Federal Emergency Management Agency ("FEMA") every five years as a condition of receiving FEMA Hazard Mitigation Grant Program Funds under the Mitigation Act.

In 2005, the City Council adopted the 2005-2010 Las Virgenes-Malibu Council of Governments ("LVMCOG") Hazard Mitigation Plan ("HMP") for the City. This was a five-year multi-jurisdictional plan prepared by all five Council of Government cities (Agoura Hills, Calabasas, Hidden Hills, Westlake Village, and Malibu). The HMP was subsequently updated in 2011 and 2018.

For the 2023 HMP, the LVMCOG voted, again, to prepare one comprehensive hazard mitigation plan to encompass all the LVMCOG cities. MLC & Associates, Inc. (MLC) prepared the new five-year HMP through a contract with the LVMCOG and the HMP was paid for with grant funding. As in 2018, the HMP was a collaborative effort by all the five cities involved. The City Managers served as the Steering Committee and appointed staff served as the working group with development facilitated by the LVMCOG's Executive Director and MLC. Input was received from city departments for the various updates to the HMP, and the public was invited to participate in the Risk Assessment Survey, which was posted on the City's website and social media platforms from August 2, 2023, through September 2, 2023. The survey was used to determine the relative risks associated with the major hazards identified within the LVMCOG area.

In addition, the City, with the assistance of MLC also held a public outreach meeting via zoom on November 1, 2023. This meeting provided the following discussion topics:

- a. Overview of the Multi-Jurisdictional Hazard Mitigation Plan
- b. Public Risk Survey results
- c. Identify local hazards.
- d. Issues and concerns related to the social vulnerability community.

Some of the mitigation efforts that were added to the Agoura Hills portion of the HMP are the installation of Beacon Boxes, a new emergency communications van, implementation of the Home Hardening Grant Program.

For the 2024 plan, information was updated to reflect the latest mitigation measures made by the City in the areas of earthquakes, wildfire, windstorms, landslide, and flood. Also included in the plan is the topic of terrorism mitigation, Civil Unrest, and pandemics. Additionally, the plan includes many annexes, including a disaster preparedness risk survey for the region where community members rated their preparedness and identified risks.

The 2024 plan meets the requirements of the Federal Disaster Mitigation Act of 2000 and provides eligibility for the cities of the LVMCOG to apply for federal mitigation funding after a disaster and for mitigation grants before disasters strike.

MLC was responsible for submitting the plan to the Office of Emergency Services (OES) and FEMA for review. On August 7, 2024, FEMA approved the HMP and instructed the five cities to move forward to "Approvable – Pending Adoption Status". This allows all of the five LVMCOG cities to execute newly signed & dated resolutions approving the plan and gain eligibility for Hazard Mitigation Grant Program Funds. According to federal requirements, the plan will be evaluated on an annual basis by the LVMCOG and the cities to determine the effectiveness of programs and to reflect any needed program changes. A copy of the plan will be on file with the City Clerk and posted on the City's website.

As part of the Resolution, the Council also will be resolving to adopt and incorporate such HMP as part of the City's Safety Element of the General Plan ("Safety Element") and to update the Safety Element with identified evacuation routes and their capacity, safety, and viability and evacuation locations, all of which is anticipated to occur by December 31, 2024.

CEQA

The proposed HMP is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed HMP will have a significant effect on the environment. The adoption of the proposed HMP is an administrative process for the City that will not result in direct or indirect physical changes in the environment. In addition, the HMP is exempt from CEQA pursuant to CEQA Guidelines Section 15306, because the HMP consists of data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource. The HMP also provides information and resources to assist in understanding the region and the hazard-related issues facing citizens, businesses, and the environment, with the goal of reducing risk and preventing loss from future hazard events, but the City has not yet approved, adopted, or funded any specific action in the HMP.

FISCAL IMPACT

There is no fiscal impact to the City Council approved budget for Fiscal Year 24-25, as the City of Agoura Hills has already contributed its \$20,000 allocation to the Hazard Mitigation Plan in FY 23-24 from account 010-4190-541600.

RECOMMENDATION

Staff respectfully recommends the City Council adopt Resolution No. 24-2080 approving the 2023 Las Virgenes-Malibu Council of Government Multi-Hazard Mitigation Plan and finding that the proposed action is exempt from CEQA.

Attachment; 2023 LVMCOG Multi-Hazard Mitigation Plan and Resolution No. 24-2080, LVMCOG HMP Cover Sheet, 2023 LVMCOG Hazzard Mitigation Plan

RESOLUTION NO. 24-2080

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF AGOURA HILLS CALIFORNIA, ADOPTING THE 2023 MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN OF THE LAS VIRGENES-MALIBU COUNCIL OF GOVERNMENTS AND FINDING THAT THE PROPOSED ACTION IS EXEMPT FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE CITY COUNCIL OF THE CITY OF AGOURA HILLS HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

Section 1. Findings and Intent.

A. The Disaster Mitigation Act of 2000 ("Act") (Pub. L. 106-390), as implemented by 44 CFR § 201.6, mandates that local governments submit and maintain a Federal Emergency Management Agency ("FEMA") approved local hazard mitigation plan.

B. The Las Virgenes-Malibu Council of Governments ("LVMCOG"), working with the Cities of Agoura Hills, Calabasas, Hidden Hills, Malibu and Westlake Village, has coordinated the hazard mitigation planning efforts among the incorporated cities and participating special districts.

C. The LVMCOG Multi-Jurisdictional Hazard Mitigation Plan identifies a region-wide risk assessment and mitigation strategies to reduce the impacts of natural, technological, and human-caused disasters on the public and local government.

D. Identification of hazards in the region assists with response planning, exercise development, public education and awareness, and other emergency management functions.

E. The Act specifies documentation that the LVMCOG Multi-Jurisdictional Hazard Mitigation Plan has been approved by the FEMA and formally adopted by the City Council.

F. On August 7, 2024, FEMA approved the 2023 LVMCOG Multi-Jurisdictional Hazard Mitigation Plan.

G. The Governor's Office of Emergency Services ("Cal OES") Mitigation Division requires a Council Resolution recognizing the adoption of the current LVMCOG Multi-Jurisdictional Hazard Mitigation Plan and into the Safety Element of the Agoura Hills General Plan.

H. The City of Agoura Hills's ("City") Safety Element of the General Plan currently incorporates and refers to the 2018 LVMCOG Multi-Jurisdictional Hazard Mitigation Plan, in accordance with California Government Code Sections 8685.9, 65302 and 65302.6;

SECTION 2. Adoption. The City Council hereby adopts the 2023 LVMCOG Multi-Jurisdictional Hazard Mitigation Plan, dated June 13, 2024 ("HMP") and hereby resolves to adopt and incorporate such HMP as part of the City's Safety Element of the General Plan ("Safety Element") and to update the Safety Element with identified evacuation routes and their capacity, safety, and viability and evacuation locations, all of which is anticipated to occur by December 31, 2024.

SECTION 3. California Environmental Quality Act. Based on its own independent judgment, the City Council of the City of Agoura Hills hereby finds and determines that the HMP is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the proposed HMP will have a significant effect on the environment. The adoption of the proposed HMP is an administrative process of the City that will not result in direct or indirect physical changes in the environment. In addition, the City Council hereby finds that the HMP is exempt from CEQA pursuant to CEQA Guidelines Section 15306, because the HMP consists of data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to environmental resources. The HMP also provides information and resources to assist in understanding the region and the hazard-related issues facing citizens, businesses, and the environment, with the goal of reducing risk and preventing loss from future hazard events, but the City has not yet approved, adopted or funded any specific action in the HMP.

SECTION 4. Effective Date and Certification. This Resolution shall be in full force and effect immediately upon adoption. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED, AND ADOPTED this 28th day of August, 2024, by the following vote to wit:

AYES: ()
NOES: ()
ABSTAIN: ()
ABSENT: ()

Illece Buckley Weber, Mayor

ATTEST:

Kimberly M. Rodrigues, City Clerk, MMC