

CITY COUNCIL OF THE CITY OF NOVATO

RESOLUTION NO. 2021-042

RESOLUTION IDENTIFYING CRITICAL INFRASTRUCTURE
PURSUANT TO SECTION 7-11.2 OF THE NOVATO
MUNICIPAL CODE

WHEREAS, at its regularly scheduled meeting on June 8, 2021, the City is considering a second read and adoption of an Ordinance to prohibit individuals from camping, occupying camp facilities, using camp paraphernalia, and storing personal property on or within 50 feet of critical infrastructure, amongst other locations; and

WHEREAS, the Ordinance allows the City Council to designate real property or facilities as “critical infrastructure” which the City Council determines, in its sole discretion, is “so vital and integral to the operation or functioning of the city that its damage, incapacity, disruption, or destruction would have a debilitating impact on the public health, safety, or welfare”; and

WHEREAS, the Federal Cybersecurity and Infrastructure Security Agency (“CISA”) defined 16 sectors of critical infrastructure, and has prepared a sector-specific plan for addressing potential risks related to each: (1) Chemical; (2) commercial facilities; (3) communications; (4) critical manufacturing; (5) dams; (6) defense industrial base; (7) emergency services; (8) energy; (9) financial services; (10) food and agriculture; (11) government facilities; (12) healthcare and public health; (13) information technology; (14) nuclear reactors, materials, and waste; (15) transportation systems; and (16) water and wastewater systems; and

WHEREAS, the City faces significant wildfire risk due to its climate, topography, and other relevant factors, which necessitates the City be able to efficiently and timely respond to emergency situations; and

WHEREAS, the City desires to reduce wildfire risk to critical infrastructure and the community by both eliminating a significant potential source of fire risk on or within 50 feet of those facilities and ensuring such facilities are accessible and able to operate at all times by reducing activities that may hamper access to those spaces; and

WHEREAS, the City desires to reduce risk of other damage to facilities which are critical to operation and functioning of the City including, but not limited to, utility and health-related facilities.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Novato does hereby declares the following real property and facilities as critical infrastructure under Section 7-11.2 of the Novato Municipal Code:


1. Government buildings, including City Hall, schools, fire stations, police stations, jails, courthouses, and libraries.
2. Electric, sewer, wastewater and water utility facilities, including generation stations, transformers and substations.

3. Health facilities, as that term is defined in Health & Safety Code section 1250.
4. Train stations and train tracks.
5. Water sources and levees.
6. Bridges and roads designated by the City as Citywide evacuation routes.

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I HEREBY CERTIFY that the foregoing resolution was duly and regularly adopted by the City Council of the City of Novato, Marin County, California, at a meeting hereof, held on the 8th day of June, by the following vote, to wit:

AYES: Councilmembers Athas, Lucan, Peele, Wernick, Eklund
NOES: Councilmembers
ABSTAIN: Councilmembers
ABSENT: Councilmembers



City Clerk of the City of Novato

Approved as to form:



City Attorney of the City of Novato