



MEMORANDUM

TO: CITY COUNCIL

**FROM: Whitney McDonald, City Manager
Isaac Rosen, Interim City Attorney**

**SUBJECT: Supplemental Information
Agenda Item 9.c - Consideration of 1) Adoption of a Resolution
Declaring a Continued Local Emergency Related to the January 2023
Storm Events and 2) a Declared Local Emergency for Subsequent
Storm Events**

DATE: March 11, 2023

The day that the agenda was published for the March 14, 2023 City Council Meeting, a new atmospheric river storm event occurred within the City, causing significant flooding of streets and homes, including in the areas of Castillo Del Mar Avenue, Corbett Canyon Road, El Camino Real, Noyes Road, Tally Ho Road, and Valley Road. Storm related damage also occurred in and around Arroyo Grande Creek, Tally Ho Creek, and other creek systems within the City, with the accumulation of debris and damage to surrounding infrastructure and homes. The County of San Luis Obispo issued a Proclamation of Local Emergency on March 10, 2023, for the entire County due to severe storms caused by a series of atmospheric river systems that have struck California, with the most recent atmospheric river system beginning March 9, 2023, and bringing with it high winds and substantial rainfall. Also on March 10, 2023, President Biden approved a California Emergency Declaration beginning on March 9, 2023, ordering Federal assistance to supplement State, tribal and local response efforts.

In response to the latest series of atmospheric river systems and the damage to the City, on Saturday, March 11, 2023, the City Manager, acting in her capacity as Emergency Services Director for the city, proclaimed the existence of a local emergency within the City of Arroyo Grande pursuant to Section 8.12. 060 of the Arroyo Grande Municipal Code (Attachment 3). That proclamation is to be ratified by the City Council on March 14, 2023, consistent with Brown Act requirements and the City's Municipal Code.

An additional atmospheric river is also expected to hit the Central Coast next week, March 13-15, 2023, which has the likelihood of creating similar and additional damage and flooding within the City. In order to facilitate the ability of the City and its residents and businesses to access federal and state funding to assist in the ongoing recovery efforts through these storms, it is recommended that the Resolution Declaring a Continued Local

Emergency included in Agenda Item 9.c. be amended to include the current set of storms impacting Arroyo Grande. A proposed Revised Resolution is attached as Attachment 2.

Attachment 2 – Revised Proposed Resolution

Attachment 3 – Proclamation of State of Emergency Relating to the March 2023 Storm Event

cc: Assistant City Manager
Five Cities Fire Chief/Executive Officer
Chief of Police
City Attorney
City Clerk
City Website (or public review binder)

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE 1) DECLARING A CONTINUED LOCAL EMERGENCY RELATED TO THE JANUARY 2023 WINTER STORMS; 2) DECLARING A LOCAL EMERGENCY FOR SUBSEQUENT STORM EVENTS

WHEREAS, on January 18, 2023, in accordance with Section 8.12.060 of the Arroyo Grande Municipal Code, the City Manager, in her capacity as the Director of Emergency Services Director, proclaimed a local emergency within the City commencing on or about 8:00 am on January 4, 2023, due to the storm events that began on December 27, 2022; and

WHEREAS, the City Council ratified the emergency proclamation through adoption of Resolution No. 5259 at its regular meeting on January 24, 2023; and

WHEREAS, Arroyo Grande Municipal Code Section 8.12.065(C) provides that the City Council is to review the need for a continuing emergency declaration at regularly scheduled meetings at least every twenty-one (21) days until the emergency is terminated; and

WHEREAS, the City Council has adopted a Resolution declaring a continued local emergency related to the January 2023 Storm events on February 14, 2023 and February 28, 2023; and

WHEREAS, pursuant to the provisions of Government Code section 8558(b), on January 4, 2023, the Governor of the State of California issued a Proclamation of a State of Emergency (“Governor’s Proclamation”) related to severe winter storms and a series of atmospheric river systems that struck California, bringing high winds, substantial precipitation, and river, stream and urban flooding; and

WHEREAS, on January 8, 2023, the President of the United States declared that an emergency exists in the State of California relating to severe winter storms, flooding, landslides, and mudslides, and enabling public agencies in impacted counties that suffered damage or losses from the storms eligible to apply for federal disaster assistance; and

WHEREAS, on January 9, 2023, the County Administrative Officer of San Luis Obispo issued a Proclamation of Local Emergency relating to severe winter storms and a series of atmospheric river systems that struck San Luis Obispo County, bringing high winds, substantial precipitation, and river, stream and urban flooding; and

WHEREAS, on January 17, 2023, the Department of Homeland Security amended the major disaster declaration issued in January 14, 2023 related to the January 2023 storm events to add San Luis Obispo County as an affected county, enabling Arroyo Grande residents who had damage or losses from the storms to apply for Federal Emergency Management Agency (FEMA) disaster assistance; and

WHEREAS, on March 11, 2023, in accordance with Section 8.12.060 of the Arroyo Grande Municipal Code, the City Manager, in her capacity as the Director of Emergency Services Director, proclaimed a local emergency within the City commencing on or about March 9, 2023, in response to the latest series of atmospheric river systems and the damage to the City due to the storm events that began on December 27, 2022; and

WHEREAS, the City Manager's March 11, 2023 proclamation followed a County of San Luis Obispo issued Proclamation of Local Emergency on March 10, 2023 for the entire County due to severe storms; and

WHEREAS, on March 10, 2023, President Biden approved a California Emergency Declaration beginning on March 9, 2023, ordering Federal assistance to supplement State, tribal and local response efforts; and

WHEREAS, pursuant to applicable authorities, the City Council must both: 1) declare a continued local emergency related to the January 2023 storm events; and 2) ratify and declare a local emergency for subsequent storm events following the City's Manager's

March 11, 2023 proclamation related to the ongoing atmospheric rivers causing significant flooding of streets and homes in the City; and

WHEREAS, adopting this Resolution is not a project subject to the California Environmental Quality Act (“CEQA”) because it has no potential to result in either a direct, or reasonably foreseeable indirect, physical change in the environment. (State CEQA Guidelines, §§ 15060, subd. (b)(2)-(3), 15378.)

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Arroyo Grande, that:

1. The recitals set forth herein are true, correct and incorporated herein by reference.
2. A local emergency is declared to continue to exist throughout the City of Arroyo Grande, and the City has been undertaking, and will continue in effect through termination of this emergency to undertake necessary measures and incur necessary costs, which are directly related to the damage caused by the severe winter storms and are taken in furtherance of; the Governor’s Proclamation of a State of Emergency on January 4, 2023; the President of the United States’ Declaration of a National Emergency on January 8, 2023; and related orders and directives.
3. A local emergency is declared to exist throughout the City of Arroyo Grande resulting from subsequent storm events, and the City Council, by approval of this resolution, ratifies the City Manager’s March 11, 2023 proclamation, which is incorporated herein. The City Council ratification of a local emergency resulting from subsequent storm events will continue in effect through termination of this emergency, to undertake necessary measures and incur necessary costs, which are directly related to the damage caused by the severe winter storms and are taken in furtherance of; the Governor’s Proclamation of a State of Emergency on January 4, 2023; the President of the United States’ approval of a California Emergency Declaration beginning March 9, 2023; the County of San Luis Obispo’s

Proclamation of a Local Emergency on March 10, 2023 ; and related orders and directives.

On motion of Council Member _____ , seconded by Council Member _____, and by the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

the foregoing Resolution was passed and adopted this 14th day of March, 2023.

**RESOLUTION NO.
PAGE 3**

CAREN RAY RUSSOM, MAYOR _____

ATTEST:

JESSICA MATSON, CITY CLERK _____

APPROVED AS TO CONTENT:

WHITNEY McDONALD, CITY MANAGER _____

APPROVED AS TO FORM:

ISAAC ROSEN, INTERIM CITY ATTORNEY _____

A PROCLAMATION OF THE DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF ARROYO GRANDE, CALIFORNIA, DECLARING THE EXISTENCE OF A LOCAL EMERGENCY WITHIN THE CITY OF ARROYO GRANDE (MARCH 2023 AND ONGOING STORM EVENTS BEGINNING DECEMBER 27, 2022)

WHEREAS, Section 8.12.060 of the Arroyo Grande Municipal Code empowers the Director of Emergency Services/City Manager ("Director") of the City of Arroyo Grande to proclaim the existence of a local emergency when the City is affected or likely to be affected by a public calamity and the Disaster Council/City Council ("City Council") is not in session; and

WHEREAS, Government Code Section 8558 (c) defines such conditions to include flood, storm, sudden and severe energy shortage, or other conditions that are or are likely to be, beyond the control of the services, personnel, equipment and facilities of this City, requiring the combined forces of other political subdivisions to combat; and

WHEREAS, on January 4, 2023, the Governor of the State of California issued a Proclamation of a State of Emergency related to severe winter storms and a series of atmospheric river systems that struck California beginning on December 27, 2022, bringing high winds, substantial precipitation, and river, stream and urban flooding, the recitals and findings of which are referenced and incorporated herein as though set forth in full and are hereby adopted as the recitals and findings of the Emergency Services Director; and

WHEREAS, on January 8, 2023, the President of the United States declared that an emergency exists in the State of California and ordered Federal assistance to supplement State, tribal, and local response efforts due to the emergency conditions resulting from successive and severe winter storms, flooding, and mudslides; and

WHEREAS, on January 9, 2023, the Emergency Services Director for the County of San Luis Obispo issued a Proclamation of a Local Emergency related to severe winter storms and a series of atmospheric river systems that struck California beginning on December 27, 2022, bringing high winds, substantial rainfall, significant flooding, falling debris, downed trees, and widespread power outages; and

WHEREAS, an additional atmospheric river system struck the Central Coast beginning on March 9, 2023, and, on March 10, 2023, the Emergency Services Director for the County of San Luis Obispo issued a Proclamation of a Local Emergency related to severe winter storms and a series of atmospheric river systems that struck California beginning on December 27, 2022, and have been ongoing since that date; and

WHEREAS, on March 10, 2023, President Biden approved a California Emergency Declaration beginning on March 9, 2023, ordering Federal assistance to supplement State, tribal and local response efforts related to the ongoing atmospheric river systems; and

WHEREAS, the City of Arroyo Grande has been adversely impacted by the above referenced winter storms in a manner that threatens local infrastructure and public health and safety, and which exceeds the capacity of the City to address with its own personnel and resources; and

WHEREAS, the City Manager, as Emergency Services Director of the City of Arroyo Grande, does hereby find and determine as follows:

DECLARING THE EXISTENCE OF A LOCAL EMERGENCY

PAGE 2

1. That conditions of disaster or extreme peril to the safety of persons and/or property have arisen within the City of Arroyo Grande due to severe storms caused by a series of atmospheric river systems that have struck California since December 27, 2022, with the most recent atmospheric river system occurring March 9, 2023, bringing substantial rainfall, high winds, rising water levels along creeks within the City, and flooding of City streets and infrastructure, as well as damage to private property; and
2. That these conditions are expected to continue through the following week of March 13, 2023, bringing the potential for additional significant flooding, mudslides, strong wind gusts, debris, downed trees, and power outages throughout the City of Arroyo Grande; and
3. That such conditions, as a result of the ongoing atmospheric rivers, beginning December 27, 2022, are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Arroyo Grande; and
4. That the City Council of the City of Arroyo Grande is not in session and cannot be immediately called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Director of Emergency Services of the City of Arroyo Grande that a local emergency exists throughout the City; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by State law, ordinances, resolutions and approved emergency plans of the City; and

IT IS FURTHER PROCLAIMED AND ORDERED that as soon as hereafter possible, this Proclamation be filed in the Office of the City Clerk of the City of Arroyo Grande and that widespread publicity and notice be given of this Proclamation; and

IT IS FURTHER PROCLAIMED AND ORDERED and that said emergency shall be deemed to continue to exist for the next seven (7) days, and hereafter by ratification of the City Council, or until its termination by the City Council.

Dated: March 11, 2023



Whitney McDonald
Emergency Services Director

ATTEST:



Jessica Matson, City Clerk

DECLARING THE EXISTENCE OF A LOCAL EMERGENCY
PAGE 3

IN WITNESS WHEREOF, I have hereunto set my hand affixed the Official seal of the City of Arroyo Grande, California on this 11th day of March, 2023

Jessica Matson

Jessica Matson
City Clerk