

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE DECLARING A CONTINUED LOCAL EMERGENCY WITHIN THE CITY OF ARROYO GRANDE (MARCH 2023 AND ONGOING STORM EVENTS BEGINNING DECEMBER 27, 2022)

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

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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 Council ratified the emergency proclamation through adoption of Resolution No. 5273 at its regular meeting on March 14, 2023; 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, the ongoing atmospheric rivers are causing significant flooding of City infrastructure and streets, as well as homes in Arroyo Grande; and

WHEREAS, adopting this Resolution continuing a local emergency is not a project subject to the California Environmental Quality Act ("CEQA") because the continued declaration in itself 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.); and

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 by reference.
2. A local emergency is declared to continue to exist throughout the City of Arroyo Grande (see Resolution No. 5259), and the City has been undertaking, and will continue 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

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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 continue to exist throughout the City of Arroyo Grande (see Resolution No. 5273) resulting from subsequent storm events, 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' 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 28th day of March, 2023.

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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