



City of Greenfield

599 El Camino Real
Greenfield, CA 93927

City Council Emergency Meeting Agenda January 10, 2023 6:00 P.M.

Mayor Robert White
Councilmembers
Yanely Martinez
Angela M. Untalon
Rachel Ortiz

The Greenfield City Council Emergency Meeting on January 10, 2023 at 6:00 p.m. will be held in the City Council Chambers located at 599 El Camino Real, Greenfield, California 93927, and will be open to the public. This meeting will also be accessible online and may be viewed through the following options:

Facebook Live: <https://www.facebook.com/GreenfieldCA/>

Join Zoom Meeting: <http://meeting.ci.greenfield.ca.us>
Meeting ID: 844 8164 8935

**City Council Emergency Meeting Agenda
January 10, 2023**

A. CALL TO ORDER

B. ROLL CALL – CITY COUNCIL

C. CONSIDERATION OF A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD CONFIRMING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

- a. Staff Report
- b. Public Comments
- c. Council Review/Comments/Action

D. CONSIDER REQUEST FROM THE DIRECTOR OF EMERGENCY SERVICES TO PROCLAIM THE EXISTENCE OF A LOCAL EMERGENCY

- a. Oral Report
- b. Public Comment
- c. Council Review/Comments/Action

E. ADJOURNMENT

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (831) 674-5591. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to the meeting (CFR 35.102-35.104 ADA Title II).

This agenda is duly posted outside City Hall.



City Council Memorandum

599 El Camino Real Greenfield CA 93927 (831) 674-5591
www.ci.greenfield.ca.us

MEMORANDUM: January 10, 2023

AGENDA DATE: January 10, 2023

TO: Mayor and City Council

FROM: Paul Wood, CPA
City Manager

TITLE: CONSIDERATION OF RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF GREENFIELD, CONFIRMING THE CITY
MANAGER/DIRECTOR OF EMERGENCY SERVICES'
PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

BACKGROUND:

On January 4, 2023, the Governor and County Office of Emergency Services both issued a State of Emergency due to the ongoing storm event. The City Manager issued a Proclamation of the Existence of a Local Emergency on January 5th. The City Manager's proclamation must be ratified within 7 days by the City Council to remain valid. A Resolution has been prepared by the City Attorney that will ratify the Proclamation, which is attached for City Council consideration.

The Salinas River and the Arroyo Seco River have risen significantly and the amount of rain that is forecast is expected to tax the City's storm drain system and wastewater plant, so staff is closely monitoring its waterways to respond to the potential for flooding. The City has begun to incur costs in response to the storm event, which includes pumps to address flooding on El Camino Real at Apple Avenue, 12th Street between Elm Avenue and Oak Avenue and Wilson Circle, staff overtime costs for weekend coverage, temporary shelter costs for homeless individuals, etc. Therefore, the Proclamation of a Local Emergency may help the City qualify for reimbursement of these costs through the Federal Emergency Management Agency.

A series of ongoing storms continue to be projected by the weather service. As a result, staff recommends maintaining the Local Emergency Proclamation until the potential for flooding subsides.

BUDGET AND FINANCIAL IMPACT:

This action is designed to reduce City costs by seeking FEMA reimbursement of emergency related activities.

POTENTIAL MOTION:

I MOVE TO APPROVE/DENY RESOLUTION #2023-04, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD, CONFIRMING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY AND THE PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY.

RESOLUTION #2023-04

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GREENFIELD, CONFIRMING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES' PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY

WHEREAS beginning December 27, 2022, severe winter storms related to a series of atmospheric river systems struck California, bringing high winds, substantial precipitation, and river and urban flooding; and

WHEREAS it is forecasted that additional and continuing storms related to this series of atmospheric river systems threaten California, bringing heavy rainfall, expected flooding, strong winds and wind gusts, falling debris, downed trees, and widespread power outages; and

WHEREAS in preparation for the forecasted storms, multiple California Conservation Corps flood fight crews, fire swift water rescue, and urban search and rescue teams have been strategically prepositioned for emergency response; sandbags have been made available throughout the State; and shelters are opening for displaced individuals; and

WHEREAS these storms forced the closure and caused damage to highways and roads, as well as caused levee and culvert failures, and mandatory evacuations in severely impacted counties, and such impacts will likely continue to be caused by the forecasted storms; and

WHEREAS these storms threatened and continue to threaten critical infrastructure, movement of resources, burn scars from recent wildfires potentially causing mud and debris flows; resulted in and threaten power outages to thousands of households and businesses; and caused and continue to threaten river and urban flooding due to excessive and prolonged rainfall; and

WHEREAS due to the series of atmospheric river systems continuously impacting counties throughout the State, the counties have not had time to mitigate the cascading impacts of these storms; and

WHEREAS under the provisions of Government Code section 8558(b), Governor Gavin Newsom found that conditions of extreme peril to the safety of persons and property exist due to these storms; and

WHEREAS under the provisions of Government Code section 8558(b), Governor Gavin Newsom found that the conditions caused by these storms, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

WHEREAS under the provisions of Government Code section 8625(c), Governor Gavin Newsom found that local authority is inadequate to cope with the magnitude of the damage caused by these storms; and

WHEREAS under the provisions of Government Code section 8571, Governor Gavin Newsom found that strict compliance with various statutes and regulations specified in his Proclamation would prevent, hinder, or delay the mitigation of the effects of these storms.

WHEREAS on January 4, 2023, Governor Gavin Newsom proclaimed a state of emergency and ordered as follows:

1. All agencies of the state government utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all residents are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.

2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.

3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of these storms. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of these storms.

4. Any public areas the Office of Emergency Services determines suitable to assist individuals impacted by these storms shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the public areas of the intended use and may immediately utilize the public areas without the public area's board of directors' approval.

5. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for highway repairs or reconstruction.

6. The California National Guard may be mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.

7. Any state-owned properties the Office of Emergency Services determines suitable for staging of debris as a result of these storms shall be made available to the Office of Emergency Services for this purpose in accordance with Government Code section 8570.

8. Drivers may exceed the hours-of-service limits specified in California Vehicle Code section 34501.2 and California Code of Regulations, Title 13, section 1212.5 while operating a vehicle engaged in fuel transportation in support of emergency relief efforts, subject to the following conditions:

a. Motor carriers or drivers currently subject to an out-of-service order are eligible for the exemption once the out-of-service order expires or when they have met the conditions for its rescission.

b. In accordance with Section 1214, Title 13, California Code of Regulations, no motor carrier operating under the terms of this Proclamation will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that they need immediate rest shall be given at least ten consecutive hours off-duty before being required to return to service.

c. Drivers shall maintain a driver's record of duty status, regardless of number of hours worked each day. These records shall be prepared, submitted, and maintained as required by Section 1213, Title 13, California Code of Regulations.

9. Consistent with Parts 390 and 395, Title 49, Code of Federal Regulations, drivers may exceed the hours-of-service limits specified while operating a vehicle engaged in fuel transportation in support of emergency relief efforts. These waivers shall be in effect for the duration of the driver's direct assistance in providing emergency relief, or thirty days from the date of this Proclamation, whichever is less.

10. In order to allow out-of-state contractors and other utilities driving their own vehicles to provide mutual aid assistance for the restoration of electrical power within the counties impacted by these storms, applicable provisions of the Vehicle Code including, but not limited to, Vehicle Code section 34620 requiring a motor carrier permit [licensing] and imposition of certain fees, are suspended for motor carriers providing such assistance. Also, the requirements for motor carriers and drivers in Vehicle Code sections 1808.1 [pull-notice program that checks for driver's license violations], 27900 [display name on vehicle], 27901 [size and color of display name on vehicle], 34505.5 [requirement to have been inspected within 90 days], and 34501.12 [requirement to set up home base in California] are suspended while providing mutual aid assistance for the emergency restoration of services.

WHEREAS, the Greenfield Municipal Code appoint the City Manager as the Director of Emergency Services and empowers the Director to issue an emergency proclamation if the City Council is not in session; and,

WHEREAS, on January 5, 2023, the City's Director of Emergency Services declared a local emergency thereby activating the Emergency Operations Center; and,

WHEREAS, pursuant to Government Code Section 8630 a local emergency declared by the Director of Emergency Services shall not remain in effect for a period in excess of seven days unless it has been ratified by the City Council; and

WHEREAS, the Director of Emergency Services requests that the City Council of the City of Greenfield proclaim the existence of a local emergency; and,

WHEREAS, after consideration of all items before it, the City Council of the City of Greenfield now desires to declare a state of emergency to make additional resources available to address the effects of the atmospheric river storms.

NOW, THEREFORE, the City Council of the City of Greenfield does resolve as follows:

The conditions of extreme peril to the safety of persons and property have arisen within the City of Greenfield, caused by the effects of severe weather.

The aforementioned conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency by the City's Emergency Service Director.

The City Council does hereby ratify and confirm the declaration of a local emergency by the Emergency Services Director.

During the existence of said local emergency, the powers, functions and duties of the Emergency Services Director and the City's Civil Defense and Disaster organization shall be those prescribed by State Law, City ordinances, resolutions, and approved plans of the City in order to mitigate the effects of said local emergency. In this regard, the Council desires to make clear the powers, functions, and duties include:

As necessary for the public health, life, and property, entering into contracts to arrange for the procurement of materials, goods, and services needed to assist in preparing for, containing, responding to, mitigating the effects of, and recovering from the severe weather conditions. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, as well as any City procurement or related policy, are suspended to the extent reasonably necessary to address the effects of the severe weather conditions.

The Emergency Services Director is expressly authorized to assist with any lawful order, including the enforcement of an order issued by Governor Gavin Newsom.

The Government Code Section 8630 requirement that the Council review of the need for continuing the local emergency at least once every sixty (60) days until the City Council terminates the local emergency has been waived for the duration of the statewide emergency declared by Governor Newsom. If this declaration of local emergency extends for more than the duration of the statewide emergency declared by Governor Newsom, City Staff are directed to thereafter return this item for Council review of the need for continuing the local emergency at least once every sixty (60) days until the City Council terminates the local emergency.

This Resolution shall take effect immediately. This Resolution and its contents will be published and promulgated in as widespread a manner as is reasonable feasible under the conditions prevailing during this local emergency.

BE IT FURTHER RESOLVED that the local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Greenfield.

PASSED AND ADOPTED by the City Council of the City of Greenfield at an emergency meeting thereof held on the 10th day of January 2023 by the following vote:

AYES, and all in favor, thereof, Councilmembers:

NOES, Councilmembers:

ABSENT, Councilmembers:

Robert White, Mayor

Attest:

Ann F. Rathbun, City Clerk

PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY

WHEREAS, California Government Code Section 8630 empowers the Greenfield City Council to proclaim the existence or threatened existence of a local emergency when the City of Greenfield is affected or likely to be affected by a public calamity; and,

WHEREAS, California Government Code 8630 and Section 2.24.060 A. 1 of the Greenfield Municipal Code empowers the Emergency Services Director to proclaim an emergency due to the existence or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the city caused by such conditions when the City Council is not in session; and,

WHEREAS, Government Code Section 8558 (c) defines such conditions to include flood, storm, hazardous materials incident, 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, 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, the City of Greenfield has been adversely impacted by those 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 Greenfield, does hereby find that:

- Conditions of disaster or extreme peril to the safety of persons and property have arisen within the City of Greenfield, caused by severe winter storms, rising water levels throughout the City storm drain system and damage or threatened damage to City infrastructure presenting immediate peril to the health, safety and welfare of the residents and businesses of the City of Greenfield and to City staff and operations commencing on or about 8:00 a.m. on the 5th day of January 2023; and
1. Such conditions are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Greenfield; and

2. The City Council of the City of Greenfield is not in session and cannot be immediately called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a local emergency now 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, and resolutions of this City, and by the City of Greenfield Emergency Plan.

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 Greenfield and that widespread publicity and notice be given of this Proclamation.

IT IS FURTHER PROCLAIMED AND ORDERED that said local 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 is proclaimed by the Greenfield City Council.

The foregoing Proclamation was approved this 5th day of January 2023 at 8:00 AM

Date: January 5, 2023



William Paul Wood
Director of Emergency Services