

## PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY

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

**WHEREAS**, Morro Bay Municipal Code (“MBMC”) § 8.08.050(A) appoints the City Manager as the Director of Emergency Services (“Director”); and

**WHEREAS**, MBMC § 8.08.060(A)(1) empowers the Director to proclaim the existence or threatened existence of a local emergency if 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 March 1, 2023 the Governor of the State of California issued a Proclamation of a State of Emergency to exist in multiple California counties, including San Luis Obispo County, related to severe winter storms that struck California, bringing damaging winds, and historic precipitation, and that it was forecasted that additional storms will continue to threaten counties across California, bringing strong winds, above normal precipitation, and unusually cold temperatures, 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 Morro Bay 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 Morro Bay, does hereby find that:

1. Conditions of disaster or extreme peril to the safety of persons and property have arisen within the City of Morro Bay, caused by severe winter storms, rising water levels in the Creek areas, 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 Morro Bay and to City staff and operations commencing on or about 9:15 A.M. on the 10th day of March, 2023; and
2. Such conditions are, or are likely to be, beyond the control of the services, personnel, equipment, and facilities of the City of Morro Bay; and

3. The City Council of the City of Morro Bay 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 Morro Bay 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 Morro Bay 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 Morro Bay City Council.

The foregoing Proclamation was approved this 10<sup>th</sup> day of March 2023 at 9:25 A.M..

*Sarah Johnson-Rios*  
Sarah Johnson-Rios (Mar 10, 2023 09:56 PST)

Sarah Johnson-Rios,  
Acting Emergency Services Director

ATTEST:

*Dana Swanson*

Dana Swanson, City Clerk

APPROVED AS TO FORM:

*Chris F. Neumeyer*  
Chris F. Neumeyer (Mar 10, 2023 09:59 PST)

Chris F. Neumeyer,  
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand affixed the Official seal of the City of Morro Bay, California, this 10<sup>th</sup> day of March 2023.

*Dana Swanson*

Dana Swanson,  
City Clerk

# 2023\_March Storm Incident Proclamation (draft)

Final Audit Report

2023-03-10

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