

PROCLAMATION OF EXISTENCE OF LOCAL EMERGENCY ISSUED BY THE CITY OF SCOTTS VALLEY DIRECTOR OF CIVIL DEFENSE AND DISASTER

WHEREAS, Scotts Valley Municipal Code section 2.48.050 designates the City Manager as the director of civil defense and disaster and enables such director to proclaim the existence or threatened existence of a local emergency when the City is affected by a "disaster" which is defined as actual or threatened enemy attack, sabotage, extraordinary fire, flood, storm, epidemic, riot, earthquake or other similar public calamity; and

WHEREAS, on December 30 and 31, 2022, the City of Scotts Valley experienced a major rain event (the "December 2022 Atmospheric River Winter Storm"); and

WHEREAS, as a result of the December 2022 Atmospheric River Winter Storm, flooding, debris from trees, and mud have impacted the City of Scotts Valley; and

WHEREAS, soil conditions in the City of Scotts Valley remained saturated as a result of the December 2022 Atmospheric River Winter Storm; and

WHEREAS, on January 4 and 5, 2023, and January 8 and 9, 2023 major rain events (the "January 2023 Atmospheric River Winter Storms") occurred which caused additional flooding and other storm impacts, including downed trees, power outages, retaining wall failures and mudslides; and

WHEREAS, the December 2022 and January 2023 Atmospheric River Winter Storms resulted in rainfall exceeding 16 inches over a 14-day period and wind in excess of 60 MPH is impacting the City; and

WHEREAS, a fourth winter storm hit Scotts Valley on January 13 and 14, 2023, which brought 3 inches of rainfall and resulted in additional damage to the City, including a second mudslide on Green Hills Road which has closed the roadway and is expected to remain closed until at least January 17, 2023; and

WHEREAS, current estimates of the damage caused by the December 2022 Atmospheric River Winter Storm and the January 2023 Atmospheric River Winter Storms exceeds \$75,000, although true extent of the damage caused by the storms has yet to be ascertained; and

WHEREAS, the County of Santa Cruz proclaimed the existence of a local emergency in the County on January 3, 2023; and

WHEREAS, the Governor of California declared a state of emergency on January 4, 2023; and

WHEREAS, on January 14, 2023, the President of the United States issued a [Presidential Major Disaster Declaration](#) to support the California's emergency response

to the ongoing storm impacts including flooding, mudslides and landslides in communities across the state.

NOW, THEREFORE, IT IS PROCLAIMED AS FOLLOWS:

1. The City of Scotts Valley is currently in a state of local emergency, and such conditions have existed since on or around December 30, 2022. A local emergency, as defined in Government Code Section 8558(c), Public Contract Code Section 1102, and Scotts Valley Municipal Code Section 2.48.020, now exists in the City of Scotts Valley.
2. During the existence of said local emergency the City Manager, as the director of civil defense and disaster, will use those powers, functions, and duties as permitted by Federal, State, and local law, including Scotts Valley Municipal Code Chapter 2.48, in order to mitigate the effects of the local emergency.
3. Pursuant to Scotts Valley Municipal Code section 2.48.010, any expenditures made in connection with such civil defense and disaster activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of the city.
4. Pursuant to Government Code section 8630, the local emergency shall be deemed to continue to exist for a period of up to seven (7) days, and thereafter by ratification and extension by the City Council until it is terminated by the City Council.

January 14, 2023

Mali LaGoe

Mali LaGoe, City Manager