

RESOLUTION NO. 2023- 08**A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
CONFIRMING THE EXISTENCE OF A LOCAL
EMERGENCY**

WHEREAS, Chapter 8.20.070, subdivision A. of the Merced Municipal Code (“Code”) empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City of Merced (“City”) is affected or likely to be affected by an “emergency” as defined in Chapter 8.20.010 of the Code and the City Council is not in session, subject to ratification by the City Council; and,

WHEREAS, Conditions of extreme peril to the safety of persons and property have arisen within the City, caused by extended heavy rain coupled with flooding, commencing on the 7th day of January, 2023, at which time the City Council of the City of Merced was not in session; and,

WHEREAS, The City Council hereby finds that the above conditions of extreme peril to the safety of persons and property warranted and necessitated the proclamation of the existence of a local emergency; and,

WHEREAS, The Director of Emergency Services proclaimed the existence of a local emergency within the City on the 7th day of January, 2023 at 1:00 p.m., a true and correct copy of which is attached as Exhibit A.

NOW, THEREFORE, IT IS HEREBY RESOLVED AND ORDERED that the local emergency referenced above is hereby confirmed and shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Merced, State of California.

PASSED AND ADOPTED by the City Council of the City of Merced at a regular meeting held on the 17th day of January 2023, by the following vote:

AYES: 7

Council Members: BOYLE, DEANDA, ORNELAS, PEREZ,
SERRATTO, SMITH, XIONG

NOES: 0

Council Members: NONE

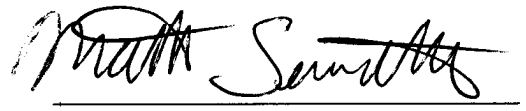
ABSENT: 0

Council Members: NONE

ABSTAIN: 0

Council Members: NONE

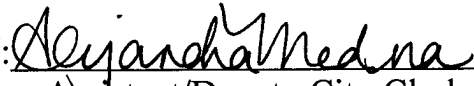
APPROVED:

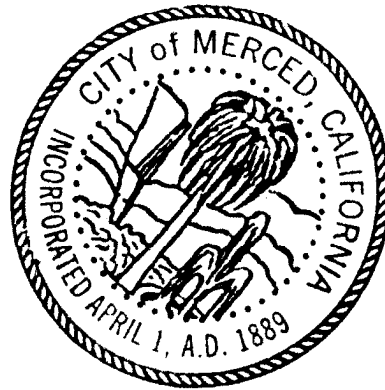


Mayor

ATTEST:

STEPHANIE R. DIETZ, CITY CLERK

BY: 
Assistant/Deputy City Clerk



(SEAL)

APPROVED AS TO FORM:


City Attorney

1-10-23
Date

**PROCLAMATION OF THE EXISTENCE
OF A LOCAL EMERGENCY**

WHEREAS, Section 8.20.070, subdivision A. of the Merced Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and,

WHEREAS, the City Manager, as Director of Emergency Services of the City does hereby find that:

1. Conditions of extreme peril to the safety of persons and property have arisen within the City of Merced caused by flood and storm commencing on or about 1 p.m. on the 7 of January, 2023.
2. That the City Council of the City of Merced is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a local emergency now exists throughout the City.

BE IT 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 Merced Emergency Plan.

1/7/23 1:00pm
Date and Time

Stephanie R. Dutz
Director of Emergency Services

APPROVED AS TO FORM:

 1/7/23
City Attorney Date

EXHIBIT A

**PROCLAMATION OF THE EXISTENCE
OF A LOCAL EMERGENCY**

WHEREAS, Section 8.20.070, subdivision A. of the Merced Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and

WHEREAS, on January 7, 2023, at 1:00 p.m. the City Manager, as Director of Emergency Services of the City, issued a proclamation of the existence of a local emergency ("Proclamation") due to flood and storm pursuant to section 8.20.070, subdivision A. of the Merced Municipal Code; and

WHEREAS, the City Council of the City of Merced has not been called into session since the Proclamation because of the local emergency; and

WHEREAS, the City Manager, as Director of Emergency Services of the City does hereby find that:

1. Conditions of extreme peril to the safety of persons and property continue to exist within the City of Merced caused by flood and storm commencing on or about 1:01 p.m. on the 14th of January, 2023.

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

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a local emergency now exists throughout the City.

BE IT 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 Merced Emergency Plan.

1/14/2023 1:01pm
Date and Time

Stephanie Huitz
Director of Emergency Services

///
///

APPROVED AS TO FORM:

A handwritten signature in cursive script, appearing to be 'ESJ', positioned above a horizontal line.

City Attorney Date

**PROCLAMATION OF THE EXISTENCE
OF A LOCAL EMERGENCY**

WHEREAS, Section 8.20.070, subdivision A. of the Merced Municipal Code empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session; and,

WHEREAS, the City Manager, as Director of Emergency Services of the City does hereby find that:

1. Conditions of extreme peril to the safety of persons and property have arisen within the City of Merced caused by flood and storm commencing on or about 1 p.m. on the 7 of January, 2023.
2. That the City Council of the City of Merced is not in session and cannot immediately be called into session.

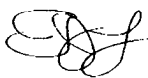
NOW, THEREFORE, IT IS HEREBY PROCLAIMED, that a local emergency now exists throughout the City.

BE IT 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 Merced Emergency Plan.

1/7/23 1:00pm
Date and Time

Stephanie R. Rutz
Director of Emergency Services

APPROVED AS TO FORM:

 1/7/23
City Attorney Date