



City of Guadalupe AGENDA

Regular Meeting of the Guadalupe City Council Special Meeting of the Successor Agency to the Guadalupe Redevelopment Agency Board

**Tuesday, January 10, 2023, at 6:00 pm
City Hall, 918 Obispo Street, Council Chambers**

Please be advised that, pursuant to State Law, any member of the public may address the City Council concerning any item on the Agenda, before or during Council consideration of that item. If you wish to speak on any item on the agenda, including any item on the Consent Calendar or the Ceremonial Calendar, please submit a speaker request form for that item. If you wish to speak on a matter that is not on the agenda, please do so during the Community Participation Forum.

The Agenda and related Staff reports are available on the City's website: www.ci.guadalupe.ca.us Friday before Council meeting.

Any documents produced by the City and distributed to a majority of the City Council regarding any item on this agenda will be made available the Friday before Council meetings at the Administration Office at City Hall 918 Obispo Street, Monday through Friday between 8:00 am and 4:30 pm, and also posted 72 hours prior to the meeting. The City may charge customary photocopying charges for copies of such documents. Any documents distributed to a majority of the City Council regarding any item on this agenda less than 72 hours before the meeting will be made available for inspection at the meeting and will be posted on the City's website and made available for inspection the day after the meeting at the Administrator Office at City Hall 918 Obispo Street, Monday through Friday between 8:00 am and 4:30 pm.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, including review of the Agenda and related documents, please contact the Administration Office at (805) 356.3891 at least 72 hours prior to the meeting. This will allow time for the City to make reasonable arrangements to ensure accessibility to the meeting.

NOTICE OF CANCELLATION

Notice is hereby given that the meeting of the City Council and Successor Agency scheduled for January 10, 2023, has been cancelled. A special meeting is tentatively scheduled for Tuesday, January 17, 2023.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted on the City Hall display case and website not less than 24 hours prior to the meeting. Dated this 10th day of January 2023.

Todd Bodem

Todd Bodem, City Administrator

**PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY BY THE CITY
ADMINISTRATOR/DIRECTOR OF EMERGENCY SERVICES OF THE CITY OF GUADALUPE**

WHEREAS, Section 2.32.020 of the Guadalupe Municipal Code defines “emergency” as “the actual or threatened existence of conditions of emergency or of extreme peril to the safety of persons and property within this City caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, hazardous materials or conditions resulting from war or imminent threat of war;” and

WHEREAS, Section 2.32.050 of the Guadalupe Municipal Code declares that the City Administrator shall be the Director of Emergency Services and may request that “the City Council to proclaim the existence or threatened existence of an emergency or a disaster and the termination thereof, if the City Council is in session, or to issue such proclamation if the City Council is not in session, subject to confirmation by the City Council at the earliest possible time;” and

WHEREAS, Section 2.32.060 of the Guadalupe Municipal Code provides that the City Administrator/Director of Emergency Services may “[m]ake and issue rules and regulations on matters reasonably related to the protection of life and property, as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practical possible time by the City Council” and

WHEREAS, Government Code section 8630 provides:

- (a) A local emergency may be proclaimed only by the governing body of a city, county or city and county, or by an official designated by ordinance adopted by that governing body.
- (b) Whenever a local emergency is proclaimed by an official designated by ordinance, the local emergency shall remain in effect for a period in excess of seven days unless it has been ratified by the governing body.
- (c) The governing body shall review the need for continuing the local emergency at least 60 days until the governing body terminates the local emergency.
- (d) The governing body shall proclaim the termination of the local emergency at the earliest possible date that conditions warrants; and

WHEREAS, on January 4, 2023, in anticipation of severe weather, Governor Newsom had declared a state of emergency in California; and

WHEREAS, on January 9, 2023, President Biden authorized an emergency declaration for the state of California as a result of the severe rainstorms and flooding that occurred on January 9, 2023; and

WHEREAS, on January 9, 2023, the County of Santa Barbara Executive Officer/Director of Emergency Services, Mona Miyasato, issued a proclamation of a local emergency as a result of heavy rains and flooding in the County; and

WHEREAS, the Director of Public Safety reported at 11:58 p.m. on January 9, 2023, and updated at 3:49 a.m. on January 10, 2023, that the area of lower Pioneer Street in the City of Guadalupe was flooded and blocked off and that the affected residents had been evacuated, and also, that the City had opened the City Hall Auditorium as a shelter where twenty (20) residents were staying; and

WHEREAS, the Director of Public Safety has also reported on January 9, 2023, that the City of Guadalupe Public Works Director had ceased public transportation in the City of Guadalupe and reported that a number of public facilities had been adversely impacted and or compromised due to strong winds, reckless drivers, and flooding, and that Public Works Department and Recreation and Parks Department personnel were removing debris from City of Guadalupe streets; and

WHEREAS, the City Administrator/Director of Emergency Services finds that streets and the facilities in the City of Guadalupe will continue to be impacted until the current storm pattern subsides
; and

WHEREAS, the City Administrator/ Director of Emergency Services finds that the severe weather that occurred on Monday, January 9, 2023, that negatively affected City of Guadalupe, including flooding, the risk of mudslides, and impacts on traffic and public infrastructure due to storm debris, continues to present a threat to the health, safety, and welfare of the general public in the City of Guadalupe; and

WHEREAS, pursuant to Section 2.32.060 of the Guadalupe Municipal Code in light of the continuing threats to the health, safety, and welfare of the general public in the City of Guadalupe, the City Council meeting scheduled for 6 p.m. on Tuesday, January 10, 2023, is hereby cancelled; and

WHEREAS, the City Council is not in session and cannot immediately be called into session.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED: By the City Administrator/Director of Emergency Services of the City of Guadalupe that a local emergency exists throughout the City of Guadalupe, and shall be deemed to continue to exist for a period of

at least seven (7) days or until the City Council takes action to ratify or terminate the proclamation of local emergency; and


IT IS FURTHER ORDERED that during the existence of this local emergency that the powers, functions, and duties of the City of Guadalupe will be those prescribed by state law, state executive orders, ordinances, and resolutions of the City of Guadalupe; and

IT IS FURTHER ORDERED that during the existence of this local emergency that the powers, functions, and duties of the City of Guadalupe will be those prescribed by state law, state executive orders, city ordinances, and resolutions of the City of Guadalupe, including specifically the City Administrator/Director of Emergency Services may promulgate orders and regulations necessary to provide for protection of life and property as set forth in the Guadalupe Municipal Code and California Government Code section 8634; and

IT IS FURTHER ORDERED that a copy of this Proclamation be forwarded to the Governor of California with the request that the Governor proclaim the existence of a State of Emergency throughout the City of Guadalupe; and

IT IS FURTHER ORDERED that a copy of this Proclamation be forwarded to the State Director of the Office of Emergency Services.

Date: January 10, 2023

A handwritten signature in black ink, appearing to read "Todd Bodem", written over a horizontal line.

Todd Bodem

City Administrator/Director of Emergency Services