

NOTICE OF SPECIAL MEETING

Pursuant to Section 54956 of the Government Code of the State of California, a Special Meeting of the **Tracy City Council** is hereby called for:

Date/Time: **Monday, January 9, 2023, 4:30 p.m.**
(or as soon thereafter as possible)

Location: **Tracy City Hall**
333 Civic Center Plaza, Tracy, CA.

Government Code Section 54954.3 states that every public meeting shall provide an opportunity for the public to address the Tracy City Council on any item, before or during consideration of the item, however no action shall be taken on any item not on the agenda.

This meeting will be open to the public for in-person and remote participation pursuant to Government Code Section 54953(e)

The City of Tracy remains under a local emergency for COVID-19 and is now conducting teleconference meetings pursuant to State Law. Teleconferenced locations may include various locations including Tracy City Hall. In accordance with the California Department of Public Health Guidelines, universal masking is recommended for all persons regardless of vaccination status and social distancing protocols will be in place for Tracy City Hall.

For Remote Public Comment:

During the Items from the Audience, public comment will be accepted via the options listed below. If you would like to comment remotely, please follow the protocols below:

- *Comments via:*
 - **Online by visiting** <https://cityoftracyevents.webex.com> and using the following **Event Number: 2557 874 1884** and **Event Password: TracyCC**
 - ***If you would like to participate in the public comment anonymously***, you may submit your comment via phone or in WebEx by typing “Anonymous” when prompted to provide a First and Last Name and inserting Anonymous@example.com when prompted to provide an email address.
 - **Join by phone by dialing +1-408-418-9388**, enter 25578741884#8722922# Press *3 to raise the hand icon to speak on an item

- *Protocols for commenting via WebEx:*
 - *If you wish to comment under “Items from the Audience/Public Comment” portion of the agenda:*
 - *Listen for the Mayor to open “Items from the Audience/Public Comment”, then raise your hand to speak by clicking on the Hand icon on the Participants panel to the right of your screen.*
 - *If you no longer wish to comment, you may lower your hand by clicking on the Hand icon again.*
 - *Comments for the “Items from the Audience/Public Comment” will be accepted until the public comment period is closed.*

CALL TO ORDER
ROLL CALL

1. Items from the audience - *In accordance with Council Meeting Protocols and Rules of Procedure*, adopted by Resolution 2019-240, a five-minute maximum time limit per speaker will apply to all individuals speaking during "Items from the Audience/Public Comment". For non-agendized items, Council Members may briefly respond to statements made or questions posed by individuals during public comment; ask questions for clarification; direct the individual to the appropriate staff member; or request that the matter be placed on a future agenda or that staff provide additional information to Council.
2. REGULAR ITEMS
 - 2.A STAFF RECOMMENDS THAT CITY COUNCIL RATIFY THE PROCLAMATION CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO THE SEVERE WINTER STORM.
3. COUNCIL ITEMS AND COMMENTS
4. ADJOURNMENT



Mayor

Posting Date: January 6, 2023

The City of Tracy is in compliance with the Americans with Disabilities Act and will make all reasonable accommodations for the disabled to participate in employment, programs and facilities. Persons requiring assistance or auxiliary aids in order to participate, should contact the City Manager's Office at (209) 831-6000 at least 24 hours prior to the meeting.

January 9, 2023

Agenda Item 2.A

RECOMMENDATION

Staff recommends that City Council ratify the proclamation confirming the existence of a local emergency related to the severe winter storm.

EXECUTIVE SUMMARY

On January 4, 2023, the Director of Emergency Services, under the authority granted by the Tracy Municipal Code section 3.24.050, proclaimed a local emergency related to a significant winter storm that affected the City of Tracy. Additionally, on the same day, Governor Newsom declared a state of emergency for the whole state as a response to the calamity caused by the storm system sweeping California.

As required by state law, City Council must ratify the proclamation declared by the Director of Emergency Services, for the local emergency to continue for an excess of seven (7) days. As the National Weather Service has reported, there is the anticipation of heavy rain and winds for the next ten (10) days, which may continue to cause destruction throughout the City.

ANALYSIS

On January 4, 2023, Governor Newsom proclaimed a state of emergency for the severe winter storm affecting Northern California, bringing high winds, and substantial precipitation with river and urban flooding plaguing the area.

Under Tracy Municipal Code section 3.24.050, the City Manager (as the Director of Emergency Services) is authorized 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 while City Council is not in session. The California Government Code section 8630, subsection (b) states that when an emergency proclamation is made by an official designee (the Director of the Emergency Services), the governing body needs to ratify the proclamation for the state of emergency to continue in excess of seven (7) days.

The National Weather Service has reported that this storm is slated to last at least ten (10) days, following a storm that has already water-logged the City. The previous storm, from the weekend prior, has resulted in flooding and fallen trees all throughout the area, endangering residents and affecting utility and power lines.

Under the California Emergency Services Act (Gov't Code Section 8550 et seq.) and the Tracy Municipal Code, a declaration of local emergency provides certain emergency powers and authorities to the City. Among those powers are that the Director of Emergency Services may promulgate orders and regulations necessary to provide for the protection of life and property. Additionally, under an emergency declaration, the Director of Emergency Services can further provide and receive mutual aid to any affected area in accordance with state law (Gov't Code Section 8631). This declaration of emergency is a recommended step in potentially seeking intergovernmental mutual aid, reimbursements, and other assistance, which directly helps the City's residents.

FISCAL IMPACT

At this time the fiscal impacts to the City and the community are unknown. The adoption of this proclamation will allow the City to access resources to best respond to public health and safety needs.

PUBLIC OUTREACH/INTEREST

The City has communicated on all of its social media forums, the resources available to the residents. Additionally, signs have been posted throughout the parks and public areas warning residents of the dangers of fallen trees and flooded areas.

COORDINATION

The City is coordinating with other local agencies, including San Joaquin County, South San Joaquin County Fire Authority, Tracy Police Department, and PG&E to access resources to help City residents.

STRATEGIC PLAN

This agenda item supports Council's Public Safety Strategic Priority: To enhance community safety by promoting a responsive public safety system that includes civic engagement and partnerships, community involvement, public education, and prevention, intervention and suppression services that meet the needs of Tracy residents.

ACTION REQUESTED OF THE CITY COUNCIL

That City Council, by resolution, ratify the proclamation confirming the existence of a local emergency related to the severe winter storm.

Prepared by: Karin Schnaider, Assistant City Manager

Reviewed by: Midori Lichtwardt, Assistant City Manager

Approved by: Michael Rogers, City Manager

Attachments:

Proclamation by the Director of Emergency Services

TRACY CITY COUNCIL
PROCLAMATION 2023-01

**PROCLAMATION OF THE CITY COUNCIL OF THE CITY OF TRACY
CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO
THE SEVERE WINTER STORM**

WHEREAS, Section 3.24.050 of the Tracy Municipal Code empowers the City Manager in his or her capacity as the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when said City is affected or likely to be affected by the actual or threatened existence of conditions of disaster or of extreme peril to the safety of person and property; and

WHEREAS, conditions of extreme peril to the safety of persons and property arose within the City of Tracy caused by extreme weather including high winds, flooded areas, fallen trees and utility lines, and power outages; and

WHEREAS, California Governor Newsom declared a state of emergency on January 4, 2023, due to severe weather that is affecting the state; and

WHEREAS, the extreme weather conditions warranted and necessitated the proclamation of the existence of a local emergency; and

WHEREAS, the proclamation of a local emergency will help the City of Tracy in addressing the needs of the residents by allowing the flow of resources into the City faster; and

WHEREAS, the Director of Emergency Services of the City of Tracy did proclaim the existence of a local emergency within the City on January 4, 2023, at which time the City Council of the City of Tracy was not in session; and

WHEREAS, since the City Council was not in session when the proclamation was made, California Government Code section 8630 requires the City County to ratify the proclamation if the emergency is anticipated to last more than seven (7) days, and it is anticipated that the severe weather conditions will last another ten (10) days; and

WHEREAS, the City Council of the City of Tracy does hereby find that conditions of extreme peril to the safety of persons and property have arisen within the City of Tracy caused by a severe winter storm; now, therefore, be it

PROCLAIMED: The City Council finds that:

- 1) The facts set forth in the recitals are true and correct.
- 2) The proclamation of the existence of a local emergency, as issued by the Director of Emergency Services, is hereby ratified.

- 3) The local emergency proclamation shall be deemed to continue to exist until the termination is proclaimed by the City Council of the City of Tracy.

FURTHER PROCLAIMED AND ORDERED: That during the existence of the 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 Tracy's Comprehensive Emergency Management Plan.

* * * * *

The foregoing Proclamation 2023-01 was adopted by the Tracy City Council on the ___ day of January, 2023, by the following vote:

AYES:	COUNCIL MEMBERS:
NOES:	COUNCIL MEMBERS:
ABSENT:	COUNCIL MEMBERS:
ABSTENTION:	COUNCIL MEMBERS:

NANCY D. YOUNG
Mayor of the City of Tracy, California

ATTEST: _____
ADRIANNE RICHARDSON
City Clerk and Clerk of the Council of the
City of Tracy, California