

## PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY

**WHEREAS**, the Governor of the State of California issued a Proclamation of a State of Emergency (the “California Proclamation”) related to Tropical Storm Hilary on August 19<sup>th</sup>, 2023; and

**WHEREAS**, the California Proclamation outlines just some of the potential issues as follows, “Tropical Storm Hilary is expected to prompt widespread evacuations and shelter-in-place orders; to threaten, damage, or destroy homes and critical infrastructure, including power and water lines, businesses, and roads; and to necessitate the deployment of search and rescue teams in areas impacted by significant debris flow” and finds that conditions of extreme peril to the safety of persons and property exist in Riverside County; and

**WHEREAS**, California Government Code Section 8630 empowers an official designated by the Indio City Council to proclaim a local emergency when the City of Indio is affected or likely to be affected by a public calamity; and

**WHEREAS**, Indio City Code (“ICC”) § 35.05 appoints the City Manager as the Director of Emergency Services (“Director”); and

**WHEREAS**, ICC § 35.06(A) empowers the Director to proclaim the existence or threatened existence of a local emergency if the City Council is not in session; and

**WHEREAS**, the definition of local emergency provided in Government Code § 8558(c) is the “existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a ... city” and includes flood, storm, sudden and severe energy shortage, or other conditions that are at present, 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**, the City of Indio has been adversely impacted by the above-referenced Tropical Storm 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 Indio, does hereby find that:

1. Conditions of disaster or extreme peril to the safety of persons and property have arisen within the City of Indio, caused by Tropical Storm Hilary, 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 Indio and to City staff and operations commencing on or about 7:00 P.M on the 20<sup>th</sup> day of August, 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 Indio; and
3. The City Council of the City of Indio 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 Indio 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 Indio 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 Indio City Council.

The foregoing Proclamation was approved this 20<sup>th</sup> day of August, 2023 at 7:00P.M.

APPROVED:



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Bryan H. Montgomery  
City Manager  
Emergency Services Director