



CITY OF HUGHSON
SPECIAL CITY COUNCIL MEETING
CITY COUNCIL CHAMBERS
7018 Pine Street, Hughson, CA

AGENDA
FRIDAY, JANUARY 13, 2023 – 4:00 P.M.

How to participate in, or observe the Meeting:

- In person in the City Council Chambers and submit public comment when invited during the meeting.
- Remotely via WebEx by using the link below:

Meeting Link:

<https://cityofhughson.my.webex.com/cityofhughson.my/j.php?MTID=mc284c80f1f989adebb671adf219048b7>

Meeting Number: 2555 185 7533

Meeting Password: gGrwmiAZ462
(44796429 from phones and video systems)

- Observe only via YouTube live, by accessing this link:

https://www.youtube.com/channel/UC-PwkdIrkMmOJDzBSodu6A?view_as=subscriber

Should technology problems cause issues providing access to the meeting via WebEx and/or YouTube, the in-person meeting will proceed as scheduled.

- In addition, recorded City Council meetings are posted on the City's website the first business day following the meeting. Recorded videos can be accessed with the following link:
<http://hughson.org/our-government/city-council/#council-agenda>

CALL TO ORDER: Mayor George Carr

ROLL CALL: Mayor George Carr
Mayor Pro Tem Ramom Bawan
Councilmember Randy Crooker
Councilmember Samuel Rush
Councilmember Julie Ann Strain

FLAG SALUTE: Mayor George Carr

INVOCATION: Hughson Ministerial Association

1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):

Members of the audience may address the City Council on any item of interest to the public pertaining to the City and may step to the podium, state their name and city of residence for the record (requirement of name and city of residence is optional) and make their presentation. Please limit presentations to five minutes. Since the City Council cannot take action on matters not on the agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern, which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a "Citizen Request Form" which may be obtained from the City Clerk.

2. PRESENTATIONS: NONE.

3. CONSENT CALENDAR: NONE.

4. UNFINISHED BUSINESS: NONE.

5. PUBLIC HEARING TO CONSIDER THE FOLLOWING: NONE.

6. NEW BUSINESS:

6.1: Adopt Resolution No. 2023-03, Ratifying the City Manager/Director of Emergency Services' Proclamation that an Emergency Situation Exists due to Flood Risk and Other Damage Resulting from Severe Storms.

7. CORRESPONDENCE: NONE.

8. COMMENTS: NONE.

9. CLOSED SESSION TO DISCUSS THE FOLLOWING: NONE.

ADJOURNMENT:**Notice Regarding Non-English Speakers:**

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson City Council shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language

WAIVER WARNING

If you challenge a decision/direction of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

Disabled or Special needs Accommodation: In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a City Council meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

General Information: The Hughson City Council meets in the Council Chambers on the second and fourth Mondays of each month at 6:00 p.m., unless otherwise noticed.

Council Agendas: The City Council agenda is now available for public review at the City's website and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

Questions: Contact the City Clerk at (209) 883-4054.

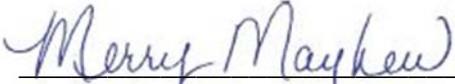
AFFIDAVIT OF POSTING

DATE: January 12, 2023 **TIME:** 4:00PM
NAME: Ashton Gose **TITLE:** City Clerk



CITY COUNCIL AGENDA ITEM NO. 6.1

SECTION 6: NEW BUSINESS

Meeting Date: January 13, 2023
Subject: Adopt Resolution No. 2023-03, Ratifying the City Manager/Director of Emergency Services' Proclamation that an Emergency Situation Exists due to Flood Risk and Other Damage Resulting from Severe Storms
Enclosure: Proclamation
Presented By: Merry Mayhew
Approved By: 
City Manager

Staff Recommendation:

Adopt Resolution No. 2023-03, ratifying the City Manager/Director of Emergency Services' Proclamation that an emergency situation exists due to flood risk and other damage resulting from severe storms.

Background and Summary:

Section 2.20.030A of the Hughson Municipal Code (Code) defines a "local emergency" as the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property caused by, among other things, flood or storms, within the territorial limits of the City of Hughson. In addition, Section 2.20.070A creates the office of the director of emergency services and provides that the City Manager is the Director. Section 2.20.070A also empowers the Director to proclaim the existence of a local emergency; however, under Section 2.20.080A, the City Council must ratify the proclamation within seven days of its issuance or the proclamation will have no further force or effect.

Discussion:

On December 27, 2022, a series of atmospheric rivers were predicted to produce high levels of rainfall in Stanislaus County and surrounding areas. Predictions included that additional and continuing storms would bring heavy rainfall, expected flooding, strong winds and wind gusts, falling debris, downed trees, and widespread power outages threatening the City of Hughson.

On January 4, 2023, Governor Newsom, in response to the damage caused by the recent storms and forecasted storms, proclaimed a State of Emergency throughout California in accordance with Government Code section 8625.

On January 9, 2023, President Biden declared an emergency exists in the State of California and ordered federal assistance beginning on January 8, 2023, and continuing.

On January 10, 2023, the Director issued a proclamation in response to the effects of these storms and forecasted continuing storms, finding that such conditions constituted a local emergency within the City of Hughson.

The proclamation gives the City Manager authority to proceed immediately with any work resulting from the storms in order to prevent or reduce flooding within the City, damage to property, and harm to persons. In addition, it authorizes the purchase of materials and equipment, to enter into contracts as necessary, and all other things necessary and appropriate to protect the people and property within the City of Hughson from harm caused by the severe storms and forecasted storms.

Staff is attending regular county-wide emergency operations updates and the most recent information predicts heavy rain and wind this Saturday, January 14th, and southerly wind gusts of 20-40 miles per hour the following week on Monday and Tuesday. Don Pedro Reservoir's elevation peaks at 801.9 and forecasts predict an elevation of 805-806 through the next 16 days forecast. To keep the elevation below 801.9, slow releases down through the Tuolumne River to Modesto Reservoir and Turlock Reservoir are anticipated. This information is considered "normal" operation during rainy years; however, if a sudden storm comes in and stays for days or the snowpack melts, the releases could increase. City Staff is currently assessing damage to streets, as well as keeping a close eye on the stormwater drainage basins, as additional work is required to pump stormwater into the Hatch Road Turlock Irrigation District canal, in the event that the canal fills above the drainage gates.

The action requested today is for the City Council to ratify the local emergency proclamation issued on January 10, 2023, to make it effective for the foreseeable future.

Fiscal Impact:

Public Works spent approximately 7.5 hours (\$300) responding after hours to prevent flooding on streets and from full storm basins. The Public Works Superintendent and the Utilities Superintendent responded for approximately two hours each for tornado watch in the early morning hours on Tuesday, January 10, 2023. Utilities and Public Works have also spent the majority of their work hours this week managing issues caused by storm damage.

**CITY OF HUGHSON
CITY COUNCIL
RESOLUTION NO. 2023-03**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF HUGHSON
RATIFYING THE CITY MANAGER/DIRECTOR OF EMERGENCY SERVICES'
PROCLAMATION THAT AN EMERGENCY SITUATION EXISTS DUE TO FLOOD RISK
AND OTHER DAMAGE RESULTING FROM SEVERE STORMS**

WHEREAS, Merry Mayhew is the duly-appointed City Manager of the City of Hughson ("City Manager"); and

WHEREAS, Section 2.20.070A of the Hughson Municipal Code creates the office of director of emergency services, and further provides that the City Manager is the director of emergency services ("Director"); and

WHEREAS, Section 2.20.030A of the Hughson Municipal Code defines "local emergency" as the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property caused by, among other things, flood or storms, within the territorial limits of the City of Hughson; and

WHEREAS, Section 2.20.070A of the Hughson Municipal Code empowers the Director to proclaim the existence of a local emergency; and

WHEREAS, Section 2.20.080A of the Hughson Municipal Code provides that a proclamation of the Director will have no further force or effect unless ratified by the City Council within seven days after its issuance; and

WHEREAS, commencing on December 27, 2022 and continuing thereafter, it became probable that a series of atmospheric rivers would produce high levels of rainfall in Stanislaus County and surrounding areas; and

WHEREAS, it is forecasted that additional and continuing storms related to this series of atmospheric river systems threaten the City of Hughson, bringing heavy rainfall, expected flooding, strong winds and wind gusts, falling debris, downed trees, and widespread power outages; and

WHEREAS, on January 4, 2023, in response to the damage caused by the recent storms and impending forecasted storms, Governor Newsom proclaimed a State of Emergency throughout California in accordance with Government Code section 8625 to address the effects of these storms; and

WHEREAS, on January 9, 2023, in response to the damage caused by the recent storms and impending forecasted storms, the County of Stanislaus, by and through its Emergency Coordinator, proclaimed a State of Emergency throughout the County of Stanislaus to address the effects of these storms; and

WHEREAS, on January 10, 2023, in response to the effects of these storms, the Director found such conditions constituted a local emergency within the territorial limits of the City of Hughson and issued a proclamation in which:

1. An emergency situation was found to exist within the territorial limits of the City of Hughson resulting from the severe storms and impending forecasted storms, which among other things required, and will require, the City to proceed immediately with any work resulting from the storms to prevent or ameliorate flooding within the City, damage to property, and harm to persons.

2. The City Manager was authorized and directed to: (i) acquire such materials and equipment and to enter into contracts necessary and appropriate to meet the emergency needs of the City of Hughson caused by the severe storms and impending forecasted storms; and (ii) do all other things necessary and appropriate to protect the people and property within the City of Hughson from harm caused by the severe storms and impending forecasted storms.

NOW, THEREFORE, BE IT RESOLVED, that the Hughson City Council does hereby ratify and adopt the local emergency proclamation issued by the Director on January 10, 2023.

PASSED AND ADOPTED by the City Council of the City of Hughson at a special meeting on this 13th day of January 2023, by the following roll call vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

APPROVED:

GEORGE CARR, Mayor

ATTEST:

ASHTON GOSE, City Clerk

CITY OF HUGHSON

PROCLAMATION THAT AN EMERGENCY SITUATION EXISTS DUE TO FLOOD RISK AND OTHER DAMAGE RESULTING FROM SEVERE STORMS

WHEREAS, Merry Mayhew is the duly-appointed City Manager of the City of Hughson (“City Manager”); and

WHEREAS, Section 2.20.070A of the Hughson Municipal Code creates the office of director of emergency services, and further provides that the City Manager is the director of emergency services (“Director”); and

WHEREAS, Section 2.20.030A of the Hughson Municipal Code defines “local emergency” as the actual or threatened existence of conditions of disaster or extreme peril to the safety of persons and property caused by, among other things, flood or storms, within the territorial limits of the City of Hughson; and

WHEREAS, Section 2.20.070A of the Hughson Municipal Code empowers the Director to proclaim the existence of a local emergency; and

WHEREAS, commencing on December 27, 2022 and continuing thereafter, it became probable that a series of atmospheric rivers would produce high levels of rainfall in Stanislaus County and surrounding areas; and

WHEREAS, it is forecasted that additional and continuing storms related to this series of atmospheric river systems threaten the City of Hughson, bringing heavy rainfall, expected flooding, strong winds and wind gusts, falling debris, downed trees, and widespread power outages; and

WHEREAS, on January 4, 2023, in response to the damage caused by the recent storms and impending forecasted storms, Governor Newsom proclaimed a State of Emergency throughout California in accordance with Government Code section 8625 to address the effects of these storms; and

WHEREAS, on January 9, 2023, in response to the damage caused by the recent storms and impending forecasted storms, the County of Stanislaus, by and through its Emergency Coordinator, proclaimed a State of Emergency throughout the County of Stanislaus to address the effects of these storms; and

WHEREAS, in response to the effects of these storms, the Director hereby finds that such conditions constitute a local emergency within the territorial limits of the City of Hughson; and.

WHEREAS, the Director deems it possible the City of Hughson may require assistance, now and in the future, from Federal, State, County, and other sources, and a formal declaration of emergency allows additional resources to flow to the City in a timely fashion.

NOW, THEREFORE, IT IS HEREBY PROCLAIMED, by the City of Hughson Director of Emergency Services, that:

1. An emergency situation exists within the territorial limits of the City of Hughson resulting from the severe storms and impending forecasted storms, which will among other things require the City to, among other things, proceed immediately with any work resulting from the storms to prevent or ameliorate flooding within the City, damage to property, and harm to persons.
2. The City Manager is hereby authorized and directed to: (i) acquire such materials and equipment and to enter into contracts necessary and appropriate to meet the emergency needs of the City of Hughson caused by the severe storms and impending forecasted storms; and (ii) do all other things necessary and appropriate to protect the people and property within the City of Hughson from harm caused by the severe storms and impending forecasted storms.

IT IS FURTHER PROCLAIMED that this Proclamation shall remain in effect for the next seven (7) days, and hereafter by ratification of the City Council.



MERRY MAYHEW
City Manager and
Director of Emergency Services

January 10, 2023

Date