



# County of San Diego

ANDREW POTTER, CCB  
EXECUTIVE OFFICER/CLERK

CLERK OF THE BOARD OF SUPERVISORS  
1600 PACIFIC HIGHWAY, ROOM 402, SAN DIEGO, CALIFORNIA 92101-2471  
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RYAN SHARP  
ASSISTANT CLERK  
ANN MOORE  
CHIEF DEPUTY CLERK

## SPECIAL MEETING OF THE BOARD OF SUPERVISORS FRIDAY, AUGUST 25, 2023, AT 9:30 A.M. COUNTY OF SAN DIEGO, CALIFORNIA

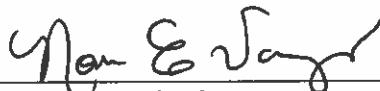
PLEASE TAKE NOTICE that the Board of Supervisors will hold a special meeting in accordance with Government Code section 54956 on **FRIDAY, AUGUST 25, 2023, at 9:30 a.m.**, in the County Administration Center, 1600 Pacific Highway, Room 310 (Board Chamber), San Diego, California 92101, to consider the matter contained in the attached agenda:

### Agenda Item

1. RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)

BY ORDER OF THE PRESIDING OFFICER.

DATED: August 21, 2023

  
\_\_\_\_\_  
NORA VARGAS  
Chairwoman  
Board of Supervisors

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2023 AUG 21 PM2:04

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**COUNTY OF SAN DIEGO BOARD OF SUPERVISORS  
SPECIAL MEETING AGENDA  
FRIDAY, AUGUST 25, 2023, 9:30 AM  
COUNTY ADMINISTRATION CENTER, ROOM 310  
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA**

**Order Of Business**

- A. Roll Call**
- B. Statement (just cause) and/or Consideration of a Request to Participate Remotely (emergency circumstances) by a Supervisor, if applicable.**
- C. Discussion Items**

**NOTICE: THE BOARD OF SUPERVISORS MAY TAKE ANY ACTION WITH RESPECT TO THE ITEMS INCLUDED ON THIS AGENDA. RECOMMENDATIONS MADE BY COUNTY STAFF DO NOT LIMIT ACTIONS THAT THE BOARD OF SUPERVISORS MAY TAKE. MEMBERS OF THE PUBLIC SHOULD NOT RELY UPON THE RECOMMENDATIONS IN THE BOARD LETTER AS DETERMINATIVE OF THE ACTION THE BOARD OF SUPERVISORS MAY TAKE ON A PARTICULAR MATTER.**

Supporting documentation and attachments for items listed on this agenda can be viewed online at [www.sandiegocab.com](http://www.sandiegocab.com) or in the Office of the Clerk of the Board of Supervisors at the County Administration Center, 1600 Pacific Highway, Room 402, San Diego, CA 92101. To access the meeting virtually and offer public comment via a call-in option, please go to: [www.sandiegocounty.gov/telecomments](http://www.sandiegocounty.gov/telecomments) for instructions.

**ASSISTANCE FOR PERSONS WITH DISABILITIES:**

Agendas and records are available in alternative formats upon request. Contact the Clerk of the Board of Supervisors office at 619-531-5434 with questions or to request a disability-related accommodation. Individuals requiring sign language interpreters should contact the Countywide ADA Title II Coordinator at (619) 531-4908. To the extent reasonably possible, requests for accommodation or assistance should be submitted at least 72 hours in advance of the meeting so that arrangements may be made. An area in the front of the room is designated for individuals requiring the use of wheelchair or other accessible devices.

**LANGUAGE TRANSLATION ASSISTANCE:**

Language translation services for public speakers are available upon request to the Clerk of the Board of Supervisors at least 72 hours prior to the meeting (refer to Board Policy A-139 for additional information). Please contact the Clerk of the Board's office at (619) 531-5434 or via e-mail at [publiccomment@sdcounty.ca.gov](mailto:publiccomment@sdcounty.ca.gov).

**LEVINE ACT NOTICE: DISCLOSURES REQUIRED ON SPECIFIED ITEMS (GOVERNMENT CODE § 84308)**

The Levine Act states that parties to any proceeding involving a license, permit or other entitlement for use pending before the Board must disclose on the record of the proceeding any campaign contributions of more than \$250 (aggregated) made by the parties or their agents to Board Members within the preceding 12 months. Participants with financial interests, and agents of either parties or participants, are requested to disclose such contributions also. The disclosure must include the name of the party or participant and any other person making the contribution; the name of the recipient; the amount of the contribution; and the date the contribution was made. This disclosure can be made orally during the proceeding or in writing on a request to speak.

**Board of Supervisors' Agenda Items**

**DISCUSSION ITEM**

<b>Category</b>	<b>#</b>	<b>Subject</b>
Public Safety	1.	RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY

**1. SUBJECT: RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)**

**OVERVIEW**

On August 19, 2023, the Chief Administrative Officer of the County of San Diego as Director of Emergency Services, issued a Proclamation of Local Emergency in anticipation of regionwide impacts associated with Tropical Storm Hilary. Potential impacts were forecasted to include flooding, erosion, coastal storm surge, and storm debris throughout the County and a potential for road closures and damage to both public and private infrastructure. The Proclamation was issued pursuant to San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code Section 8630. The Local Proclamation followed a State Proclamation of Emergency issued by Governor Newsom for parts of the State of California, including San Diego County.

This is a request for the Board of Supervisors to ratify the Proclamation and find that there is a need for continuing the local emergency until no longer needed subject to statutory review requirements.

**RECOMMENDATION(S)**

**CHIEF ADMINISTRATIVE OFFICER**

1. Ratify the attached PROCLAMATION OF EXISTENCE OF A COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) made by the Chief Administrative Officer of the County of San Diego as Director of Emergency Services on August 19, 2023.
2. Find that there is a need for continuing the local emergency until otherwise determined, subject to Government Code 8630 review requirements.

**EQUITY IMPACT STATEMENT**

The recommendations to ratify the attached Proclamation of Local Emergency made by the Chief Administrative Officer of the County of San Diego as Director of Emergency Services on August 19, 2023, subject to Government Code 8630 review requirements, advocates for and protects the health and wellbeing of everyone in the region.

**SUSTAINABILITY IMPACT STATEMENT**

The proposed actions to ratify the attached Proclamation of Local Emergency made by the Chief Administrative Officer as the Director of Emergency Services on August 19, 2023 and find that there is a need for continuing the local emergency until no longer needed, subject to Government Code 8630 review requirements, contribute to the County of San Diego's Sustainability Goals by efficiently serving and reinforcing healthy communities, responding to natural disaster related emergencies, remediating environmental harms, and promoting safe governmental practices. This will also assist with ensuring the capability to respond and recover to immediate needs for individuals, families, and the region.

**FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years. Staff will return to the Board for consideration and approval of additional fiscal impacts associated with the recommendations if needed.

**BUSINESS IMPACT STATEMENT**

N/A



# COUNTY OF SAN DIEGO

## BOARD OF SUPERVISORS

NORA VARGAS  
First District

JOEL ANDERSON  
Second District

TERRA LAWSON-REMER  
Third District

VACANT  
Fourth District

JIM DESMOND  
Fifth District

## AGENDA ITEM

DATE: August 25, 2023

01

TO: Board of Supervisors

### SUBJECT

#### **RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)**

### OVERVIEW

On August 19, 2023, the Chief Administrative Officer of the County of San Diego as Director of Emergency Services, issued a Proclamation of Local Emergency in anticipation of regionwide impacts associated with Tropical Storm Hilary. Potential impacts were forecasted to include flooding, erosion, coastal storm surge, and storm debris throughout the County and a potential for road closures and damage to both public and private infrastructure. The Proclamation was issued pursuant to San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code Section 8630. The Local Proclamation followed a State Proclamation of Emergency issued by Governor Newsom for parts of the State of California, including San Diego County.

This is a request for the Board of Supervisors to ratify the Proclamation and find that there is a need for continuing the local emergency until no longer needed subject to statutory review requirements.

### RECOMMENDATION(S)

#### CHIEF ADMINISTRATIVE OFFICER

1. Ratify the attached PROCLAMATION OF EXISTENCE OF A COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) made by the Chief Administrative Officer of the County of San Diego as Director of Emergency Services on August 19, 2023.
2. Find that there is a need for continuing the local emergency until otherwise determined, subject to Government Code 8630 review requirements.

### EQUITY IMPACT STATEMENT

The recommendations to ratify the attached Proclamation of Local Emergency made by the Chief Administrative Officer of the County of San Diego as Director of Emergency Services on August

**SUBJECT:** RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)

19, 2023, subject to Government Code 8630 review requirements, advocates for and protects the health and wellbeing of everyone in the region.

### **SUSTAINABILITY IMPACT STATEMENT**

The proposed actions to ratify the attached Proclamation of Local Emergency made by the Chief Administrative Officer as the Director of Emergency Services on August 19, 2023 and find that there is a need for continuing the local emergency until no longer needed, subject to Government Code 8630 review requirements, contribute to the County of San Diego's Sustainability Goals by efficiently serving and reinforcing healthy communities, responding to natural disaster related emergencies, remediating environmental harms, and promoting safe governmental practices. This will also assist with ensuring the capability to respond and recover to immediate needs for individuals, families, and the region.

### **FISCAL IMPACT**

There is no fiscal impact associated with these recommendations. There will be no change in net General Fund cost and no additional staff years. Staff will return to the Board for consideration and approval of additional fiscal impacts associated with the recommendations if needed.

### **BUSINESS IMPACT STATEMENT**

N/A

### **ADVISORY BOARD STATEMENT**

N/A

### **BACKGROUND**

The week of August 14, 2023, the forecast of Tropical Storm Hilary showed a trajectory toward Southern California and resulted in a Tropical Storm Warning for the San Diego Region. In coordination with regional partners including the National Weather Service, SDG&E, regional municipalities, tribal nations, transit partners, and others, preparation began for potential impacts to San Diego.

Impacts associated with rainfall significantly higher than regional averages were anticipated and include: flooding, erosion, coastal storm surge, and storm debris throughout the County and a potential for road closures and damage to both public and private infrastructure.

On August 19, 2023, the Chief Administrative Officer of the County of San Diego as Director of Emergency Services, proclaimed the existence of a local emergency and issued a Proclamation of Local Emergency. The Proclamation was issued pursuant to San Diego County Code of Regulatory Ordinances sections 31.101 et seq. and California Government Code Section 8630.

Government Code Section 8630(b) requires the Board of Supervisors ratify the Proclamation of Local Emergency within seven days of being issued.

**SUBJECT:** RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)

This is a request for the Board of Supervisors to ratify the Proclamation and find that there continues to be the need for multiple agencies to combine forces to address public health and safety in response to Tropical Storm Hilary, and, therefore, there is a need for continuing the local emergency until otherwise determined subject to statutory review requirements.

The Board's ratification of the Proclamation of Local Emergency will: (1) further ensure legal immunities for emergency actions taken by the County; (2) facilitate requests by the County and other local governments for State and Federal assistance under the State and Federal Disaster Assistance Programs; and (3) allow the Chief Administrative Officer (or authorized official) to take preventive measures necessary to protect and preserve public health and safety.

**LINKAGE TO THE COUNTY OF SAN DIEGO STRATEGIC PLAN**

This recommendation supports the Community Initiative of the County of San Diego's 2023-2028 Strategic Plan by protecting and preserving public health and safety.

Respectfully submitted,



HELEN N. ROBBINS-MEYER  
Interim Chief Administrative Officer

**ATTACHMENT(S)**

Attachment A - PROCLAMATION OF EXISTENCE OF A COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY)

Attachment B- PROCLAMATION OF A STATE OF EMERGENCY State of California

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**County of San Diego Board of Supervisors  
AGENDA ITEM INFORMATION SHEET**

**AGENDA ITEM SUBJECT/TITLE:**

**RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY  
(UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING  
IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)**

**REQUIRES FOUR VOTES:**

Yes  No

**WRITTEN DISCLOSURE PER COUNTY CHARTER SECTION §1000.1 REQUIRED:**

Yes  No

**NOTICED PUBLIC HEARING REQUIRED:**

Yes  No

**PROJECT UNDER CEQA:**

Yes  No

If Yes, approval of CEQA document required?

Yes  No

**DECISION WITHIN GOVERNMENT CODE SECTION 84308:**

Yes  No

**PREVIOUS RELEVANT BOARD ACTIONS:**

N/A

**BOARD POLICIES APPLICABLE:**

N/A

**BOARD POLICY STATEMENTS:**

N/A

**MANDATORY COMPLIANCE:**

N/A

**ORACLE AWARD NUMBER(S) AND CONTRACT AND/OR REQUISITION NUMBER(S):**

N/A

**ORIGINATING DEPARTMENT:** Chief Administrative Office

**OTHER CONCURRENCE(S):** N/A

INTERNAL REVIEW COMPLETED: YES  NO  Abalos, Royce Digitally signed by Abalos, Royce  
Date: 2023 08 21 08 46 38 -07'00'

Signature

CONTACT PERSON(S):

Jeff Toney

Name  
858-565-3490

Phone

Jeff.Toney@sdcounty.ca.gov

E-mail

Toney, Jeff

Digitally signed by Toney, Jeff  
Date: 2023 08 21 08 40 01  
-07'00'

Signature

Caroline Smith

Name  
619-531-5198

Phone

Caroline.Smith@sdcounty.ca.gov

E-mail

Caroline Smith

Digitally signed by Caroline Smith  
Date: 2023 08 21 07 58 31 -07'00'

Signature



## BOARD LETTER APPROVAL LOG

BOARD LETTER TITLE:	RATIFICATION OF PROCLAMATION OF COUNTY-WIDE LOCAL EMERGENCY (UNINCORPORATED AND INCORPORATED AREAS OF SAN DIEGO COUNTY) REGARDING IMPACTS OF TROPICAL STORM HILARY (DISTRICTS: ALL)
ATTACHMENTS:	A - Proclamation of Existence of a County-Wide Local Emergency B- Proclamation of a State of Emergency State of California
ORIGINATING DEPT:	Chief Administrative Office

### Approval Signature

*Holly Porter*

*Jeff Toney*

Jeff Toney {Aug 21, 2023 08:28 PDT}

*Caroline Smith*

Caroline Smith {Aug 20, 2023 20:10 PDT}

*Claudia J. Silva*

*Joan Bracci*

*Michael Vu*

### Signature Verification

**Holly Porter**

E-signed 2023-08-21 03:15AM PDT

Holly.Porter@sdcounty.ca.gov

SAN DIEGO COUNTY

**Jeff Toney**

E-signed 2023-08-21 08:28AM PDT

Jeff.Toney@sdcounty.ca.gov

SAN DIEGO COUNTY

**Caroline Smith**

E-signed 2023-08-20 08:10PM PDT

caroline.smith@sdcounty.ca.gov

SAN DIEGO COUNTY

**Claudia Silva**

E-signed 2023-08-21 08:21AM PDT

Claudia.Silva@sdcounty.ca.gov

SAN DIEGO COUNTY

**Joan Bracci**

E-signed 2023-08-20 09:24PM PDT

joan.bracci@sdcounty.ca.gov

SAN DIEGO COUNTY

**Michael Vu**

E-signed 2023-08-20 09:56PM PDT

michael.vu@sdcounty.ca.gov

SAN DIEGO COUNTY

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**PROCLAMATION OF  
EXISTENCE OF A COUNTY-WIDE LOCAL EMERGENCY  
(UNINCORPORATED AND INCORPORATED AREAS  
OF SAN DIEGO COUNTY)  
AND  
REQUEST TO THE GOVERNOR OF THE STATE OF  
CALIFORNIA  
TO PROCLAIM A STATE OF EMERGENCY  
AND TAKE OTHER SPECIFIED ACTIONS**

**RECITALS**

**R1.** The California Emergency Services Act, including but not limited to Government Code section 8630 and the County of San Diego Emergency Services Organization Ordinance (Code of Regulatory Ordinances, sections 31.101 et seq.) empower the Chief Administrative Officer of the County of San Diego as Director of Emergency Services, to proclaim the existence or threatened existence of a local emergency when said County is affected or likely to be affected by a public calamity and the Board of Supervisors is not in session; and

**R2.** The Chief Administrative Officer of the County of San Diego as Director of Emergency Services, does hereby find that on August 19, 2023, conditions of extreme peril to the safety of persons and property have arisen within San Diego County, as a result of approaching Tropical Cyclone Hilary which is forecasted to produce widespread flooding, potential for mudslides, erosion, and storm debris throughout the County resulting in numerous road closures and severe damage to both public and private infrastructure and;

**R3.** The Board of Supervisors of the County of San Diego is not in session and cannot immediately be called into session; and

**R4.** The Chief Administrative Officer of the County of San Diego as Director of Emergency Services, finds that these emergency conditions will be beyond the control of local resources, services, personnel, equipment, and facilities; and

**R5.** The Chief Administrative Officer of the County of San Diego as Director of Emergency Services, finds that these emergency conditions will require additional resources, services, personnel, equipment, facilities and funding as follows (The following list does not necessarily reflect the total or final extent of the assistance that may be required. Additional assistance may be requested as the emergency evolves): all state and federal disaster funding to support recovery and repair efforts within the operational area as a result of storm damage. State personnel and equipment may be requested during and after the landfall of Tropical Cyclone Hilary and will be communicated to the State through the Operational Area Emergency Operations Center.

**R6.** This Proclamation of Local Emergency will be ratified by the Board of

Supervisors pursuant to law.

## **PROCLAMATIONS AND ORDERS**

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED AND ORDERED** by the Chief Administrative Officer of the County of San Diego as Director of Emergency Services, as follows:

1. That a local emergency exists throughout San Diego County pursuant to Government Code section 8630 and as defined by Government Code section 8558 and shall be deemed to continue to exist subject to ratification, review and termination by the Board of Supervisors pursuant to Government Code section 8630.

2. That during the existence of said local emergency the powers, functions, and duties of the emergency organization of this county shall be those prescribed by State law including but not limited to Government Code section 8634, County ordinances and resolutions, and the current Emergency Services Agreement and Operational Area Emergency Plan.

3. That a copy of this Proclamation be forwarded to the Director of the California Governor's Office of Emergency Services ("Director Cal OES") requesting that the Director Cal OES find this Proclamation acceptable in accordance with State law and forward this Proclamation to the Governor of the State of California for consideration and action on San Diego County's requests that:

3.1 The Governor suspend those statutes, regulations, rules and orders that may hinder response and recovery efforts.

3.2 The Governor order that recovery assistance be made available to San Diego County under the California Disaster Assistance Act.

3.3 The Governor order that the State expedite access to Federal resources and any other appropriate federal disaster relief programs for San Diego County.

3.4 The Governor request a Presidential Declaration of a Major Disaster for San Diego County and that the President award any and all appropriate Federal assistance.

4. The Director of the County Office of Emergency Services shall continue to assess the local emergency and, as emergency response and recovery efforts warrant, send to Director Cal OES any additional requests that the Governor suspend further statutes, rules and regulations pursuant to Gov Code sec 8571, and that State and Federal assistance be provided to San Diego County.

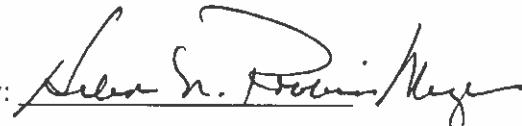
5. Helen Robbins-Meyer, Chief Administrative Officer, or her representative is hereby designated as the authorized representative of the County of San Diego for the

purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

**COUNTY OF SAN DIEGO**

Date/Time:

8/19/23 8:24PM

By: 

Helen Robbins-Meyer,  
Chief Administrative Officer and  
Director of Emergency Services

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EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA

PROCLAMATION OF A STATE OF EMERGENCY

**WHEREAS** on August 18, 2023, Hurricane Hilary began bringing heavy rain, flooding, lightning, and gusty winds to Southern California, necessitating the prepositioning of significant resources, including swift water rescue teams and the California National Guard, to protect health and safety and preserve the lives and property of the people of the State of California; and

**WHEREAS** the National Weather Service issued a Tropical Storm Warning on August 18, 2023, for portions of the Southern California coast, which are forecast to experience increased swells and life-threatening surf and rip current conditions; and

**WHEREAS** the National Weather Service issued a series of Flood Watches on August 18, 2023, warning of potential significant flooding between August 19, 2023, and August 22, 2023, in Alpine, Fresno, Imperial, Inyo, Kern, Los Angeles, Mono, Orange, Riverside, San Bernardino, San Diego, San Luis Obispo, Santa Barbara, Tulare, and Ventura Counties; and

**WHEREAS** the National Weather Service issued a series of Flash Flood Warnings on August 18, 2023, for San Bernardino County, and on August 19, 2023, for Kern County; and

**WHEREAS** threats of lightning and significant wind impacts with gusts up to or exceeding 70 miles per hour are anticipated in mountainous areas throughout Southern California and are likely to exacerbate fire conditions; and

**WHEREAS** the National Weather Service has warned that Hurricane Hilary may bring the potential for isolated tornadoes across portions of Southern California; and

**WHEREAS** the Los Angeles County Emergency Management Department advised residents and visitors evacuate Catalina Island as of 12:00 a.m. on August 19, 2023; and

**WHEREAS** numerous wildfires over the last several years have caused massive burn scars, exacerbating the potential for precipitation to cause dangerous and potentially catastrophic flooding and debris flows, and Hurricane Hilary is forecast to bring 3 to 6 inches of rain within a short period of time in Southern California, including over the Apple and El Dorado burn scars in Riverside and San Bernardino Counties, the Fairview and Bonny burn scars in Riverside County, and the Bobcat, Bond, Lake, and Fish burn scars in Los Angeles County; and

**WHEREAS** Hurricane 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

**WHEREAS** Hurricane Hilary, including associated debris flows, is expected to damage or destroy roads in Southern California; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that conditions of extreme peril to the safety of persons and property exist due to Hurricane Hilary in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties; and

**WHEREAS** under the provisions of Government Code section 8558(b), I find that the conditions caused by Hurricane Hilary, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single local government and require the combined forces of a mutual aid region or regions to appropriately respond; and

**WHEREAS** under the provisions of Government Code section 8625(c), I find that local authority is inadequate to cope with the magnitude of the extreme peril posed by Hurricane Hilary; and

**WHEREAS** under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this Proclamation would prevent, hinder, or delay the mitigation of the effects of Hurricane Hilary.

**NOW, THEREFORE, I, GAVIN NEWSOM**, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, including the California Emergency Services Act, and in particular, Government Code section 8625, **HEREBY PROCLAIM A STATE OF EMERGENCY** to exist in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties.

**IT IS HEREBY ORDERED THAT:**

1. All agencies of the state government shall utilize and employ state personnel, equipment, and facilities for the performance of any and all activities consistent with the direction of the Office of Emergency Services and the State Emergency Plan. Also, all individuals are to obey the direction of emergency officials with regard to this emergency in order to protect their safety.
2. The Office of Emergency Services shall provide assistance to local governments, if appropriate, under the authority of the California Disaster Assistance Act, Government Code section 8680 et seq., and California Code of Regulations, Title 19, section 2900 et seq.
3. As necessary to assist local governments and for the protection of public health and the environment, state agencies shall enter into contracts to arrange for the procurement of materials, goods, and services necessary to quickly assist with the response to and recovery from the impacts of Hurricane Hilary. Applicable provisions of the Government Code and the Public Contract Code, including but not limited to travel, advertising, and competitive bidding requirements, are suspended to the extent necessary to address the effects of Hurricane Hilary.

4. Any fairgrounds the Office of Emergency Services determines suitable to assist individuals impacted by Hurricane Hilary shall be made available to the Office of Emergency Services pursuant to the Emergency Services Act, Government Code section 8589. The Office of Emergency Services shall notify the fairgrounds of the intended use and may immediately utilize the fairgrounds without the fairground board of directors' approval.
5. The California National Guard may be mobilized under Military and Veterans Code section 146 to support disaster response and relief efforts, as directed by the Office of Emergency Services, and to coordinate with all relevant state agencies and state and local emergency responders and law enforcement within the impacted areas. Sections 147 and 188 of the Military and Veterans Code are applicable during the period of participation in this mission, exempting the California Military Department from applicable procurement rules for specified emergency purchases, and those rules are hereby suspended.
6. Any state-owned properties the Office of Emergency Services determines are suitable to address the impacts of Hurricane Hilary shall be made available to the Office of Emergency Services for this purpose in accordance with Government Code section 8570.
7. The provisions of Unemployment Insurance Code section 1253 imposing a one-week waiting period for unemployment insurance applicants are suspended as to all applicants who are unemployed as a direct result of Hurricane Hilary and apply for unemployment insurance benefits during the time period beginning August 19, 2023, and ending on the close of business on February 20, 2024, in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties, and who are otherwise eligible for unemployment insurance benefits.
8. Vehicle Code sections 9265(a), 9867, 14901, 14902, and 15255.2, requiring the imposition of fees, are suspended with regard to any request for replacement of an identification card, driver's license card, vehicle registration certificate, certificate of title, or registration stickers, by any individual who loses such records as a result of Hurricane Hilary in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties. Such records shall be replaced without charge.

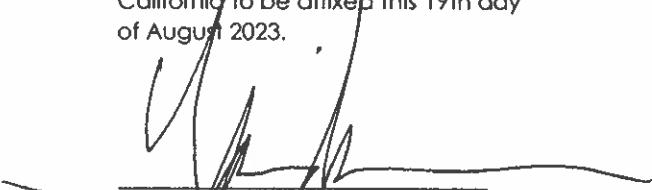
9. The provisions of Vehicle Code sections 4602 and 5902, requiring the timely registration or transfer of title, are suspended with regard to any registration or transfer of title by any individual who is unable to comply with those requirements as a result of Hurricane Hilary in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties. The time covered by this suspension shall not be included in calculating any late penalty pursuant to Vehicle Code section 9554.
10. Health and Safety Code sections 103525.5 and 103625, and Penal Code section 14251, requiring the imposition of fees, are suspended with regard to any request for copies of certificates of birth, death, marriage, and dissolution of marriage records, by any individual who loses such records as a result of Hurricane Hilary in Fresno, Imperial, Inyo, Kern, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Tulare, and Ventura Counties. Such copies shall be provided without charge.
11. The California Department of Transportation shall formally request immediate assistance through the Federal Highway Administration's Emergency Relief Program, United States Code, Title 23, section 125, in order to obtain federal assistance for any local road and highway repairs or reconstruction that are needed due to Hurricane Hilary.
12. Drivers may exceed the hours-of-service limits specified in California Vehicle Code section 34501.2 and California Code of Regulations, Title 13, section 1212.5 while operating a vehicle engaged in fuel transportation in support of Hurricane Hilary emergency relief efforts, subject to the following conditions:
  - a. Motor carriers or drivers currently subject to an out-of-service order are eligible for the exemption once the out-of-service order expires or when they have met the conditions for its rescission.
  - b. In accordance with Section 1214, Title 13, California Code of Regulations, no motor carrier operating under the terms of this Proclamation will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that they need immediate rest shall be given at least ten consecutive hours off-duty before being required to return to service.
  - c. Drivers shall maintain a driver's record of duty status, regardless of number of hours worked each day. These records shall be prepared, submitted, and maintained as required by Section 1213, Title 13, California Code of Regulations.

13. Consistent with Parts 390 and 395, Title 49, Code of Federal Regulations, drivers may exceed the hours-of-service limits specified while operating a vehicle engaged in fuel transportation in support of Hurricane Hilary emergency relief efforts. These waivers shall be in effect for the duration of the driver's direct assistance in providing emergency relief, or thirty (30) days from the date of this Proclamation, whichever is less.
14. In order to allow out-of-state contractors and other utilities driving their own vehicles to provide mutual aid assistance for the restoration of electrical power within the counties impacted by Hurricane Hilary, applicable provisions of the Vehicle Code including, but not limited to, Vehicle Code section 34620 requiring a motor carrier permit (licensing) and imposition of certain fees, are suspended for motor carriers providing such assistance. Also, the requirements for motor carriers and drivers in Vehicle Code sections 1808.1 [pull-notice program that checks for driver's license violations], 27900 [display name on vehicle], 27901 [size and color of display name on vehicle], 34505.5 [requirement to have been inspected within 90 days], and 34501.12 [requirement to set up home base in California] are suspended while providing mutual aid assistance for the emergency restoration of services.

**I FURTHER DIRECT** that as soon as hereafter possible, this Proclamation be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Proclamation.

This Proclamation is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

**IN WITNESS WHEREOF** I have  
hereunto set my hand and caused  
the Great Seal of the State of  
California to be affixed this 19th day  
of August 2023.



GAVIN NEWSOM  
Governor of California

ATTEST:

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SHIRLEY N. WEBER, Ph.D.  
Secretary of State

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