

PROCLAMATION OF EMERGENCY
Humanitarian and Border Crisis

WHEREAS, the humanitarian and border crisis has escalated with the U. S. Customs and Border Protection reporting over 1.7 million migrant encounters with federal authorities along the United States southern border in fiscal year 2021, more than the last two years combined; and,

WHEREAS, there are reports of over 6,000 migrants crossing from Mexico into the United States traveling through the Yuma area within the last five days preceding this Proclamation and, in the Yuma Sector alone, U. S. Customs and Border Protection reports the number of migrant encounters have increased by two thousand six hundred forty-seven percent (2,647%) since October 1, 2021; and,

WHEREAS, due to the significant numbers of migrants entering the Yuma Sector, federal agency personnel struggle to manage the flow of migrants in the community and at federal facilities; and,

WHEREAS, this unprecedented surge has and will continue to impact Yuma's agriculture industry, with large numbers of migrants passing on foot through active agriculture fields seeking to find food, water and essential services; and,

WHEREAS, the volume of migrant traffic in agricultural fields causes food safety violations from human activity and waste, making the crop unharvestable, which results in significant economic loss and property damage to the farming community, a loss of jobs, and a threat to the nation's food security; and,

WHEREAS, the flood of migrants has and will continue to strain the ability of medical staff and local hospital resources to provide essential and necessary medical care to Yuma residents as well as the increasing migrant community; and,

WHEREAS, federal and state resources are needed to assist with the increasing numbers placing an unsustainable demand on Yuma's coalition of local nonprofit organizations and the healthcare system which provides humanitarian and medical aid in times of crisis; and,

WHEREAS, I, Douglas J. Nicholls, pursuant to the authority vested in me as Mayor of the City of Yuma, have determined that this humanitarian crisis and threat of injury, damage and suffering to persons or property, including to the migrant families temporarily located in the City of Yuma, constitutes an emergency precipitated by the influx of undocumented persons entering the United States in the Yuma area at a time of great

uncertainty about the COVID-19 virus, and without provisions for adequate food, water, shelter, transportation and medical care; and,

WHEREAS, such a threat poses a likelihood of untold suffering and a threat to the safety and wellbeing of the persons, property and citizens living in the City of Yuma and within the Yuma community; and,

WHEREAS, emergency management measures are required to reduce the severity of the local emergency, to receive available aid, and to protect the health, safety and welfare of people and property located in the City of Yuma; and,


WHEREAS, the City of Yuma will respond to this humanitarian and migrant crisis under this emergency authority in coordination with the Executive Orders of Arizona Governor Douglas A. Ducey issued pursuant to the the Governor's 2021 Border Crisis declaration of a state of emergency dated April 20, 2021 and in accordance with law.

NOW THEREFORE, I, Douglas J. Nicholls, Mayor of the City of Yuma, acting under the power vested in me pursuant to the Yuma City Charter, Article VII, Section 2(e); Resolution R2011-29; and Arizona Revised Statutes § 26-311, do hereby declare an emergency exists due to the unprecedented numbers of migrants crossing into the United States and into the Yuma area; that the City of Yuma is, or will be, entitled to aid, relief, and assistance; and to the extent necessary for emergency functions pursuant to Arizona Revised Statutes § 26-307(A), to make, amend and temporarily rescind City of Yuma rules and regulations as are necessary and consistent with any orders, rules and regulations promulgated by the Governor; and do hereby direct the implementation of the City of Yuma Emergency Operations Plan.

FURTHER, I direct the City of Yuma City Administrator, or his designees, consistent with this Proclamation, to coordinate activities of the City of Yuma Emergency Operations Plan, and to take all appropriate action, consistent with the rule of law and this Proclamation, needed to alleviate the effects of the unprecedented numbers of migrants into the City of Yuma. This Proclamation shall be provided to Yuma County and the Governor of the State of Arizona.


THIS PROCLAMATION OF EMERGENCY SHALL BE EFFECTIVE IMMEDIATELY, SHALL BE FILED WITH THE CITY CLERK, AND SHALL REMAIN IN EFFECT UNTIL A WITHDRAWAL OF THIS PROCLAMATION OF EMERGENCY IS FILED WITH THE CITY CLERK.

PROCLAIMED AND ORDERED this 9th day of December, 2021, at 1:50 pm
o'clock, a.m. / p.m. in the City of Yuma, Arizona.




Douglas J. Nicholls
Mayor

Attest:



Lynda L. Bushong
City Clerk

Approved as to form
and found to be within the powers granted to the Mayor of the City of Yuma:



Richard W. Files
City Attorney