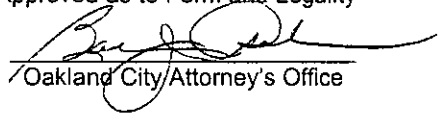


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OAKLAND

2008 JAN 24 PM 3:10

Approved as to Form and Legality


Oakland City Attorney's Office

OAKLAND CITY COUNCIL

Resolution No. _____ C.M.S.

Introduced by Councilmember _____

RESOLUTION RENEWING AND CONTINUING THE CITY COUNCIL'S DECLARATION OF A LOCAL EMERGENCY DUE TO THE SEVERE IMPACTS AND CALAMITIES CAUSED BY THE SERIES OF WINTER STORMS THAT COMMENCED ON OR ABOUT JANUARY 3, 2008

WHEREAS, Government Code section 8630(a) and Ordinance No. 10923 C.M.S. of the City of Oakland, adopted December 8, 1987, as amended, empower the Oakland City Council to proclaim a local emergency due to the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of the City of Oakland caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease; and

WHEREAS, Government Code section 8630(a) and Ordinance No. 10923 C.M.S. of the City of Oakland, also authorize the City Administrator to proclaim the existence of a local emergency and Government Code section 8630(b) further provides that any emergency declared by the City Administrator will not remain in effect for more than seven days unless the City Council ratifies the existence of the local emergency; and

WHEREAS, the series of winter storms that commenced on January 3, 2008, has brought extreme wind conditions, unusually heavy rains and high snow levels throughout the state which have also severely impacted the City of Oakland; and

WHEREAS, the City Administrator proclaimed the existence of a local emergency on January 11, 2008, due to the winter storms that commenced on January 3, 2008; and

WHEREAS, on January 15, 2008 the City Council adopted Resolution No. 81034 C.M.S., which ratified the City Administrator's January 11, 2008 proclamation of the existence of a local emergency in the City of Oakland and declared that a local emergency continues to exist due to conditions that are beyond the control of the services, personnel, equipment and facilities of the City of Oakland and these conditions severely impair public health and safety; and

WHEREAS, as part of the January 15th ratification the City Council also requested that the Governor proclaim a State of Emergency in the City of Oakland and requested that the President of the United States declare that an emergency has occurred in California that is beyond the state's recovery capabilities; and

WHEREAS: Government Code section 8630(b) requires that the City Council ratify the existence of the local emergency every twenty-one days; now, therefore, be it

RESOLVED: that the Council hereby renews and continues its declaration of a local emergency due to the severe impacts and calamities caused by the series of winter storms that commenced on or about January 3, 2008; and be it

FURTHER RESOLVED: that during the continuing existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law, the charter, ordinances, resolutions, and approved plans of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, REID, AND
PRESIDENT DE LA FUENTE

NOES –

ABSENT –

ABSTENTION –

ATTEST:

LATONDA SIMMONS
City Clerk and Clerk of the Council of
the City of Oakland, California