

OAKLAND CITY COUNCIL

Johnnie Lee
City Attorney

RESOLUTION No. 80396 C.M.S.

RESOLUTION RENEWING AND CONTINUING THE LOCAL EMERGENCY DUE TO LANDSLIDE DAMAGE TO McKILLOP ROADWAY FIRST PROCLAIMED BY THE CITY OF OAKLAND ON OCTOBER 17, 2006

WHEREAS, Ordinance No. 11467 C.M.S. of the City of Oakland empowers the City Administrator to confirm the existence or threatened existence of a local emergency when said City is affected by a public calamity; and

WHEREAS, the City Administrator proclaimed the existence of a local emergency on October 15, 2006 due to the imminent hazard to McKillop Road resulting from recent landslide activity; and

WHEREAS, the City Council found that conditions of extreme peril to the safety of persons and property had arisen as a result of continued movement of a slide that imperils the roadway; and

WHEREAS, the City ratified the October 15, 2006 proclamation of a local emergency under Resolution No. 80212 C.M.S. on October 17, 2006 as required by California Government Code Section 8630; and

WHEREAS, California Government Code Section 8630 also requires that the governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency; now, therefore be it

RESOLVED: that the City Council hereby confirms the continued existence of the local emergency declared on October 17, 2006 on and around the McKillop Roadway in the City of Oakland; and be it

FURTHER RESOLVED: 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, and the charter, ordinances, resolutions, and approved plans of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, FEB 6 2007, 2007

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, KERNIGHAN, NADEL, QUAN, ~~REID~~, and PRESIDENT DE LA FUENTE - 7

NOES- 0

ABSENT- 0

ABSTENTION- 0

Excused- Reid - 1

ATTEST: *LaTonda Simmons*
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California