

OFFICE OF THE CITY CLERK
CITY OF OAKLAND
OAKLAND CITY COUNCIL
RESOLUTION No. 80212 C.M.S.
2006 OCT 12 PM 3:58

Patrick Tan
City Attorney

**RESOLUTION CONFIRMING THE EXISTENCE OF A LOCAL EMERGENCY
DECLARED BY THE CITY ADMINISTRATOR ON OCTOBER 15 , 2006, DUE TO
LANDSLIDE DAMAGE TO MCKILLOP ROADWAY**

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

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City, caused by land movement that threatens to destroy portions of a roadway known as McKillop Road, and all public improvements therein, including sewer, gas, electric and water lines; and

WHEREAS, the City Administrator proclaimed the existence of a local emergency on October 15 , 2006 because impending rains will increase the likelihood of significant or catastrophic damage to the roadway; and

WHEREAS, the City Council is required to ratify a proclamation of a local emergency within seven days pursuant to 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 does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a local emergency by the City Administrator on the 15 day of October, 2006; and be it

FURTHER RESOLVED: that said local emergency resulting from the possible collapse of McKillop Road shall be deemed to continue to exist until its termination is proclaimed by 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, the Oakland City Charter and ordinances, resolutions, and approved plans of the City of Oakland.

IN COUNCIL, OAKLAND, CALIFORNIA, OCT 17 2006 , 2006

PASSED BY THE FOLLOWING VOTE:

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

NOES- 0

ABSENT- Reid - 1

ABSTENTION- 0

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