


CITY ATTORNEY'S OFFICE

OAKLAND CITY COUNCIL

RESOLUTION NO. _____ C.M.S.

RESOLUTION ADOPTING THE 2021-2026 OAKLAND LOCAL HAZARD MITIGATION PLAN AS AN AMENDMENT TO THE SAFETY ELEMENT OF THE OAKLAND GENERAL PLAN

WHEREAS, The City of Oakland prepares for disasters with the understanding that disasters do not recognize city, county, or special district boundaries; and

WHEREAS, the City of Oakland seeks to maintain and enhance both a disaster-resistant city and promote resilience, by reducing the potential loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters; and

WHEREAS, the City of Oakland is subject to various earthquake-related hazards, such as ground shaking, liquefaction, landslides, fault surface rupture, and tsunamis; and

WHEREAS, the City of Oakland is subject to various weather-related hazards, including wildfires, floods, drought, and landslides; and

WHEREAS, the City of Oakland anticipates the effects from climate change will include extreme weather, with greater frequency, and sea-level rise; and

WHEREAS, the City of Oakland is committed to increasing the disaster resistance and resiliency of the infrastructure, health, housing, economy, government services, education, environment, and land use systems in the City of Oakland; and

WHEREAS, the federal Disaster Mitigation Act of 2000 requires all cities, counties, and special districts to have adopted a Local Hazard Mitigation Plan to receive pre-and post-disaster mitigation funding from the Federal Emergency Management Agency (FEMA); and

WHEREAS, the City of Oakland has prepared a [2021 – 2026](#) Local Hazard Mitigation Plan (“LHMP”, incorporated by reference as *Exhibit A* to this Resolution), which analyzes the risks from natural and human-caused hazards, such as earthquake, landslide, flooding, and potential sea level scenarios, and which proposes mitigation measures to address and reduce the effects from the identified risks that the City is either currently performing, or will perform in the next five years if funding is secured; and

WHEREAS, the City of Oakland hosted seven virtual townhalls to inform the public about the LHMP, and invited the public to comment on the [2021 – 2026](#) LHMP during one 14-day public comment period; the town halls were hosted in Winter and Spring 2021; and

WHEREAS, California State law requires that the City of Oakland adopt a General Plan Amendment to make the LHMP an "implementation appendix" to the Safety Element of the Oakland General Plan; and

WHEREAS, the Safety Element of the City of Oakland General Plan, adopted on November 16, 2004 by Council Resolution No. 78915 C.M.S., together with the LHMP serves to present the City's goals, policies and actions towards mitigating safety hazards, and was intended to serve as the foundation for Oakland's Local Hazard Mitigation Plans; and

WHEREAS, the [2021 – 2026](#) LHMP additionally serves as a source of critical data that will inform the City of Oakland's upcoming comprehensive update to its General Plan, starting with the adoption of the updated Safety Element, updated Housing Element, and new Environmental Justice Element by January 2023; and

WHEREAS, on May 14, 2021, the Federal Emergency Management Agency determined the [2021 – 2026](#) LHMP to be eligible for final approval pending its adoption by the Oakland City Council; and

WHEREAS, on May 19, 2021, the City Planning Commission held a duly noticed public hearing to consider the [2021 – 2026](#) LHMP, and recommended its adoption by the City Council as an amendment to the Safety Element of the Oakland General Plan; and

WHEREAS, this Resolution will amend the Safety Element of the Oakland General Plan so that it will incorporate the most recent LHMP as Appendix F to the Safety Element, thereby making Oakland eligible for a higher percentage of disaster assistance funds in accordance with California Government Code sections 65302.6 and 8685.9; and

WHEREAS, the City Council finds this action exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines sections 15183 (projects consistent with a community plan, general plan, or zoning); 15262 (feasibility and planning studies); 15306 (information collection), and 15061(b)(3) (general rule), each as a separate and independent basis; and

WHEREAS, in accordance with California Government Code section 65358, the City Council hereby finds and determines that it is in the public interest to amend the Safety Element of the Oakland General Plan as specified in this Resolution; now, therefore, be it

RESOLVED: That the City of Oakland commits to continuing to take those mitigation measures, and initiating further actions as appropriate, which are identified in the City of Oakland LHMP; and be it

FURTHER RESOLVED: That the City of Oakland adopts the [2021 – 2026](#) LHMP, attached hereto as *Exhibit A*, as the Implementation Appendix to the Safety Element of the Oakland General Plan; and be it

FURTHER RESOLVED: That the City of Oakland approves the General Plan Amendment (# GP 21001), which makes the City's adopted [2021 – 2026 LHMP](#) (attached as *Exhibit A* to this Resolution) an "Appendix F" to the Safety Element of the Oakland General Plan; and 2) revises sections of the Safety Element as follows (additions are shown in double underline and deletions are shown as ~~striketrough~~):

Beginning at Section 1.2 of the Safety Element (p. 7), after the last sentence of "Implementing the Safety element," make the following revisions to the text adopted in 2012:

“1.2. The City will adopt and implement the strategies in a [Local Hazard Mitigation Plan](#), which reduce the impacts of natural and human-caused disasters, under the requirements of the Federal Disaster Mitigation Act of 2000. On ~~June 7, 2016~~June 15, 2021, the City Council adopted the Oakland Local Hazard Mitigation Plan, which serves as an "implementation appendix" to the Safety Element of the Oakland General Plan (and is included in the Safety Element as Appendix F). Specifically, the mitigation measures in the adopted Local Hazard Mitigation Plan are a set of actions the City is taking, or is considering taking, to reduce the risks of disasters on Oakland residents, businesses and essential government services. The implementation of these mitigation actions, which include both short and long-term strategies, involve planning, policy changes, programs, projects, and other activities. The Fire Department's Emergency Management Services Division and Planning and Building Department will have co-lead responsibility for evaluating the Plan on a regular basis, as necessary, to comply with federal and state laws, and for preparing future editions of the Local Hazard Mitigation Plan.”

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - FIFE, GALLO, KALB, KAPLAN, REID, TAYLOR, THAO AND
PRESIDENT FORTUNATO BAS

NOES –

ABSENT –

ABSTENTION –

ATTEST: _____
ASHA REED
City Clerk and Clerk of the Council of the
City of Oakland, California