



## Legislation Text

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File #: 23-145, Version: 1

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### **A Proclamation of the Emergency Services Director of the City of San Leandro Proclaiming the Existence of a Local Emergency Relating to the Impacts of Persistent Storms and Local Flooding**

#### **CITY OF SAN LEANDRO PROCLAMATION AND ORDER NO. 2023-\_\_**

#### **A PROCLAMATION OF THE EMERGENCY SERVICES DIRECTOR OF THE CITY OF SAN LEANDRO PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY RELATING TO THE IMPACTS OF PERSISTENT STORMS AND LOCAL FLOODING**

**WHEREAS**, Section 8630, Article 14, of the California Emergency Services Act empowers the City Council to proclaim the existence or threatened existence of a local emergency when the City of San Leandro is affected or likely to be affected by a public calamity;

**WHEREAS**, San Leandro Municipal Code section 3-4-124(a) authorizes the City Manager, in her capacity as the Director of Emergency Services, to declare and proclaim the existence or threatened existence of a “local emergency” if the City Council is not in session;

**WHEREAS**, San Leandro Municipal Code section 3-4-124(b) provides that whenever a local emergency is proclaimed by the Director of Emergency Services, the City Council shall take action to ratify the proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect;

**WHEREAS**, San Leandro Municipal Code section 3-4-105 defines “local emergency” where conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of this City are or are likely to be beyond the control of this City and require the combined forces of other political subdivisions. Such a “local emergency” may be caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor’s warning of an earthquake or volcanic prediction, or an earthquake or other conditions, other than a labor controversy;

**WHEREAS**, since January 4, 2023 until present day severe rainfall commenced from a series of winter storms prompting emergency proclamations and multiple hazard warnings from numerous Bay Area jurisdictions of potential flooding and severe winds;

**WHEREAS**, widespread flooding, heavy rains, and damaging winds persist, exacerbating land and mud slides and local flooding;

**WHEREAS**, due to already saturated soils and high winds, experts have said the threat of downed trees and fallen branches is increased, potentially leading to power outages as power lines are struck, swollen creeks and rivers eroding adjacent lands and causing dangerous conditions to public and private property;

**WHEREAS**, the potential for flooding in low lying areas of San Leandro is high, as well as mud and landslides in the City's higher elevations and hills;

**WHEREAS**, the Director of Emergency Services intends to proclaim the existence of a local emergency to ensure the availability of mutual aid and an effective response to potential injuries or property damage resulting from the persistent storm events.

**NOW, THEREFORE, BE IT RESOLVED** that the Director of Emergency Services of the City of San Leandro hereby proclaims that:

1. The above recitals are true and correct and incorporated herein by this reference.
2. Based on potential or actual flooding caused by exceptional amounts of rainfall, downed trees and power lines caused by high winds, and mud and landslides because of the rainfall and soil saturation the City of San Leandro is, has been or is likely to be affected by a public calamity.
3. A local emergency exists in the City of San Leandro.

**BE IT FURTHER RESOLVED** that as required by Government Code section 8630, the City Council shall review the need for continuing the local emergency within seven (7) days and thereafter the City Council shall review the need for continuing the local emergency at each regularly scheduled meeting until the local emergency is terminated, and shall proclaim the termination of the local emergency at the earliest possible date that conditions warrant.

**BE IT FURTHER RESOLVED** that during the existence of said local emergency, the powers, functions, and duties of the Director of Emergency Services and the City's emergency organization shall be those prescribed by state law, local ordinance and resolutions.

**BE IT FURTHER RESOLVED** that this proclamation shall become effective immediately and shall remain in effect until \_\_\_\_\_ p.m. on \_\_\_\_\_, unless extended or expressly superseded by a duly enacted Resolution of the City Council.

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Frances Robustelli,  
City Manager and Director of Emergency Services

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