

  
Office of the City Attorney

**PROCLAMATION OF LOCAL EMERGENCY DECLARED BY CITY  
ADMINISTRATOR EDWARD REISKIN ON SEPTEMBER 13, 2020**

**WHEREAS**, beginning on August 14, 2020, an Extreme Heat Event struck California and surrounding Western states, causing record-breaking temperatures and Red Flag Warnings throughout California; and

**WHEREAS**, on or about August 16, 2020, lightning strikes throughout northern and central California ignited an unprecedented number of wildfires throughout the state; and

**WHEREAS**, to date, the August 16 wildfires continue to burn and additional major wildfires have occurred throughout central and northern California, Oregon, and Washington state; and

**WHEREAS**, to date, the aforementioned wildfires have caused smoke and associated ash and other fire-related particulates to drift to Oakland and the entire San Francisco – East Bay Area (Region), causing unprecedented levels of unhealthy and dangerous polluted air throughout the Region and miles beyond,

**WHEREAS**, to date, there have been 27 consecutive “spare the air day” orders issued by the Bay Area Air Quality Management District due to smoke and dangerous air quality caused by the aforementioned wildfires

**WHEREAS**, much of the housing stock in Oakland is not equipped with air conditioning and/or air filtration systems to mitigate the smoke and dangerous air quality impacting residents; and

**WHEREAS**, due the present climatic conditions, wildfire smoke does not dissipate in the afternoon or evening and residents cannot open windows to air out their homes during the evening; and

**WHEREAS**, Oakland’s homeless population lives outdoors and has no way to escape the dangerous air quality caused by wildfire smoke; and

**WHEREAS**, the smoke impacting Oakland from the numerous, major wildfires in California, Oregon and Washington is not expected to improve until weather conditions shift with the onset of the rainy season, which historically has occurred in late November to early December; and

**WHEREAS**, Government Code Section 8630 empowers the “governing body of a city, county, or city and county, or . . . an official designated by ordinance” 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 further provides that any emergency declared

by the City Administrator will not remain in effect for more than seven (7) days, unless the City Council ratifies the existence of the local emergency; and

**WHEREAS**, the City Administrator in his capacity as the Director of the EOC has authority “to promulgate orders, rules, and regulations on matters reasonably related to the protection of life and property and the preservation of public peace and order, in accordance with Article 14 of the California Emergency Services Act, [and such] rules and regulations must be confirmed at the earliest practicable time by the governing body as required by law;” and

**WHEREAS**, the City Administrator has determined that it is necessary to provide and/or assist in providing indoor locations for people to cool off during excessive heat and breathe clean air during smoky conditions; and

**WHEREAS**, the City Administrator has determined that there are City facilities that could be used for this purpose, but some that would require expedited upgrades to the facilities’ cooling and/or filtration systems.

**WHEREAS**, the City Council of the City of Oakland, California is not in session and cannot immediately be called into session;

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED** that based on the foregoing and in accordance with the authority vested in me pursuant to Oakland’s Emergency Services Act, Oakland Municipal Code Section 8.50.050.C., a local emergency now exists throughout the City of Oakland; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that during the existence of said local emergency the powers, functions, and duties of the emergency organization of the City of Oakland shall be those prescribed by state law,(by ordinances, and resolutions of the City of Oakland; and that this emergency proclamation shall expire seven (7) days after issuance unless confirmed and ratified by the City Council of Oakland, California, County of Alameda; and:

**IT IS FURTHER PROCLAIMED AND ORDERED** that all City departments and agencies take those actions, measures and steps deemed necessary to provide ongoing services to the City’s citizens, and to assure the safety and welfare of City employees, residents and property, including, but not limited to, making City facilities available to residents to breathe clean air as is reasonably necessary, and expediting contracts for necessary upgrades to the cooling and/or air filtration system of said facilities, for; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that a copy of this proclamation be forwarded to the Director of the California Governor’s Office of Emergency Services and that the Director be asked to find it acceptable in accordance with State law and that the Governor of California, pursuant to the Emergency Services Act, be asked to issue a State of Emergency and that he afford the City the benefit of recovering its costs.

**IT IS FURTHER PROCLAIMED AND ORDERED** that the Governor of California be requested to make available all relevant funds to the City and all eligible community members and businesses, including but not limited to, California Disaster Assistance Act funds and State Private Nonprofit Organizations Assistance Program funds; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that the Governor be asked to forward a copy of this proclamation to the President of the United States to seek a Presidential Declaration of a Federal Emergency and make all relevant funds available to the City of Oakland and all eligible community members and businesses including, but not limited to, any aid provided by the Small Business Administration to help the County of Alameda and the City of Oakland to keep the high level of response, recovery, and mitigation measures necessary to make our communities resilient from this emergency.

IN WITNESS WHEREOF I have hereunto set my hand this 13th day of September, 2020



---

Edward D. Reiskin  
City Administrator/Director of Emergency  
Operations Center, City of Oakland, California

Attest:



---

[Asha Reed \(Sep 14, 2020 11:10 PDT\)](#)

Asha Reed  
Acting City Clerk and Clerk of the City Council  
City of Oakland, California

2976467v1