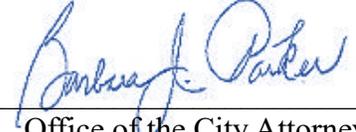


Approved as to Form and Legality



Office of the City Attorney

**PROCLAMATION OF LOCAL EMERGENCY
DECLARED BY CITY ADMINISTRATOR EDWARD REISKIN ON JANUARY 4, 2023**

WHEREAS, the U.S. National Oceanic and Atmospheric Administration’s National Weather Service (“NWS”) has advised that a potent atmospheric river will begin to impact the entire San Francisco Bay Area region, including Alameda County, beginning on January 4, 2023 and continuing into Thursday afternoon; and

WHEREAS, due to substantial rainfall, the NWS has issued a Flood Watch in the San Francisco Bay Area region which is currently set to remain in effect until the afternoon of Thursday, January 5, 2023, and advised that flooding may occur in flood-prone locations, including poor drainage areas, urban areas, and low-water crossings, and that storm drains and ditches may become clogged with debris resulting in extensive street flooding; and

WHEREAS, the NWS has also issued a High Wind Warning which is currently set to remain in effect until 10:00 AM on Thursday, January 5, 2023 in the San Francisco Bay Area region, specifically advising that the region may experience winds of 20 to 30 mph with gusts up to 50 mph in valley locations and local gusts to around 70 mph along the coast and highest peaks; and

WHEREAS, the NWS has further advised that damaging winds will blow down trees and power lines, which may cause widespread power outages and make travel will be difficult, especially for high profile vehicles; and

WHEREAS, the NWS has further advised that saturated soils will allow for trees to topple more easily during this prolonged wind event, and that the strongest winds will be during the cold frontal passage the afternoon of Wednesday, January 4, 2023 through early Thursday morning; and

WHEREAS, the NWS has further advised people should avoid being outside around trees and branches and, if possible, remain indoors and avoid windows; and

WHEREAS, the NWS has further advised people should avoid being outside around trees and branches and, if possible, remain indoors and avoid windows during the storms; and

WHEREAS, on January 4, 2023, Governor Gavin Newsom proclaimed a state of emergency throughout California to address the impacts of ongoing winter storms and to support local officials in their ongoing responses, including authorizing the mobilization of the California National Guard and activating the State Operations Center to its highest level; and

WHEREAS, Oakland has a sizable homeless population that lives outdoors and that, without intervention, will be extremely susceptible to the serious dangers posed by the coming rains, floods, and high winds; and

WHEREAS, any water or debris that impedes travel on Oakland roads poses significant and immediate public safety risks, including but not limited to making it more difficult or first-responders to provide timely emergency services to Oakland residents; and

WHEREAS, the flooding and damage that occur as a result of the coming rain and high winds will continue to impact public safety in Oakland and will need to be addressed by the City even after the storms and winds subside; 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 avoid rainfall, flooding and dangerous wind conditions; and

WHEREAS, the City Administrator has determined that there are City facilities that could be used for this purpose, but some that might require expedited approvals to be repurposed, expedited repairs, and/or expedited upgrades; and

WHEREAS, the City Administrator has determined that the storms will likely require emergency responses from the City to address public safety, transportation, public works, and other needs, and may require the procurement of equipment and materials and/or the activation or emergency workers on an expedited basis; and

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; and

IT IS FURTHER PROCLAIMED AND ORDERED that a copy of this proclamation shall 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: and

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 4th day of January, 2023



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

Attest:

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