

**RESOLUTION NO. 1-23**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF RICHMOND RATIFYING THE PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF A LOCAL EMERGENCY IN THE CITY OF RICHMOND DUE TO HEAVY RAINS, FLOODING AND A SIGNIFICANT LANDSLIDE AT SEACLIFF DRIVE IN RICHMOND CALIFORNIA**

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**WHEREAS**, California Government Code Section 8630 and Richmond Municipal Code Section 2.20.060 empower the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when a City is affected or likely to be affected by a public calamity and the City Council is not in session, provided that the emergency proclamation is ratified by the City Council within seven days; and

**WHEREAS**, the Director of Emergency Services of the City of Richmond proclaimed the existence of a local emergency on January 3, 2023, due to heavy rains, flooding and a hillside on Seaview Drive showing signs of a significant landslide; and

**WHEREAS**, on January 4, 2023, California Governor Gavin Newsom proclaimed a state of emergency throughout California to support the ongoing response to the recent winter storms; and

**WHEREAS**, said 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; and

**WHEREAS**, the City Council also finds that the costs related to responding to storm related activities is beyond the City's current financial capability.

**NOW, THEREFORE, BE IT HEREBY PROCLAIMED AND ORDERED**, by the City Council of the City of Richmond that the City Council hereby ratifies the proclamation (attached) of a local emergency which was issued by the Director of Emergency Services.

**BE IT FURTHER PROCLAIMED AND ORDERED** that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of this city shall be those prescribed by State law, by ordinances, and resolutions of Richmond and by the City of Richmond SEMS/NIMS Emergency Operations Plan and its Emergency Services Functions Annex as approved by the City Council on December 17, 2019.

**BE IT RESOLVED AND ORDERED** that City staff should assess local, state and federal sources that are available for cost recovery, assistance to persons displaced or for damage to property that may be caused by the local emergency.

**BE IT FURTHER RESOLVED AND ORDERED** that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of Richmond, State of California.

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I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a special meeting thereof held January 9, 2023, by the following vote:

AYES: Councilmembers Jimenez, McLaughlin, Vice Mayor  
Martinez, and Mayor Butt  
NOES: None.  
ABSTENTIONS: None.  
ABSENT: Councilmembers Bates, Johnson III, and Willis

PAMELA CHRISTIAN  
CLERK OF THE CITY OF RICHMOND  
(SEAL)

Approved:

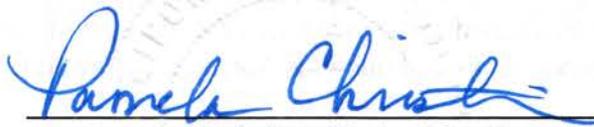
THOMAS K. BUTT  
Mayor

Approved as to form:

DAVE ALESHIRE  
City Attorney

State of California            }  
County of Contra Costa        } : ss.  
City of Richmond               }

I certify that the foregoing is a true copy of **Resolution No. 1-23**, finally passed and adopted by the City Council of the City of Richmond at a special meeting held on January 9, 2023.

  
Pamela Christian  
Pamela Christian, Clerk of the City of Richmond

ATTACHMENT

RESOLUTION NO. \_\_\_-23

PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES  
DECLARING A LOCAL EMERGENCY IN THE CITY OF RICHMOND DUE TO A  
POSSIBLE LANDSLIDE AT SEACLIFF DRIVE IN RICHMOND, CALIFORNIA

WHEREAS, the entire Bay Area, including Richmond has experienced heavy rains and flooding, including an atmospheric river, throughout December of 2022; and

WHEREAS, a second atmospheric river is expected to hit the Bay Area tomorrow, January 4, 2023, triggering a bomb cyclone; and

WHEREAS, the National Weather Service Bay Area office has issued a flood watch for Tuesday night through Thursday morning for the entire Bay Area and Central Coast, and a high a wind warning is also in effect for the region from 4 a.m. Wednesday to 10 a.m. Thursday; and

WHEREAS, a hillside on Seaview Drive with an APN of 560-330-041 is showing signs of a potential significant landslide as a result of the December rains and atmospheric river; and

WHEREAS, on January 3, 2023, City consultant NCE and subconsultant Cal Engineering & Geology, Inc. evaluated photos provided by the City of the landslide and aerial imagery available on Google earth Pro of the hillside above Seacliff Drive and based on their evaluation that "there is a large landslide on the hillside that has definitive evidence of a headscarp in the area near the top of the ridge and lateral margins that extend down to Seaview Drive and possibly beneath and beyond Seaview Drive" strongly recommends that the eight (8) homes on Seaview Drive and the seven (7) homes on Seacliff Way that are immediately west of and closest to Seacliff Drive be evacuated until the landslide can be more thoroughly evaluated. The consultant recommends the evacuations be done immediately to reduce the potential for life safety issues that could result for movement of the landslide, particularly considering the forecast amount of rain that is to fall tonight and over the next few days; and

WHEREAS, on the evening of January 3, 2023, the Richmond Police Department will assist in evacuating fifteen homes near the landslide; and

WHEREAS, the Director of Emergency Services finds:

- (1) That at the time of this proclamation the City Council is not in session; and
- (2) That conditions of extreme peril to the safety of persons and property have arisen caused by significant rainstorms and flooding that resulted in a landslide and the landslide is anticipated to get worse in light of the bomb cyclone that is scheduled to arrive on January 4, 2023; and
- (3) That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a Local Emergency.

NOW, THEREFORE, LET IT HEREBY BE PROCLAIMED that a Local Emergency exists throughout the City of Richmond, commencing on or about 8:30 p.m. on the 3<sup>rd</sup> day of January; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of this Local Emergency, the powers, functions and duties of the Director of Emergency Services shall be those prescribed by state law and the ordinances, resolutions, and approved plan of the City of Richmond in order to mitigate the effects of this Local Emergency; and

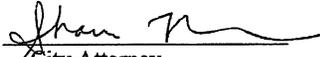
IT IS FURTHER PROCLAIMED AND ORDERED that said Local Emergency shall be deemed to continue to exist for the next seven (7) days, and hereafter by ratification of the City Council, until its termination is proclaimed by the City Council of the City of Richmond.

Dated: 1/3/23

By: [Signature]  
Director of Emergency Services  
City of Richmond

Approved as to Form

Dated: 1/3/23

By:   
City Attorney