

RESOLUTION NO. 71-10

**A RESOLUTION RENEWING AND CONTINUING THE LOCAL EMERGENCY
DUE TO SINKHOLE DAMAGE ON VIA VERDI FIRST PROCLAIMED BY THE
CITY OF RICHMOND ON APRIL 22, 2010**

WHEREAS, Section 2.20.060 A(1) of the Richmond Municipal Code empowers the Director of Emergency Services (the City Manager) to confirm the existence or threatened existence of a local emergency when said City is affected by a public calamity; and

WHEREAS, the City Manager proclaimed the existence of a local emergency on April 22, 2010 due to the imminent hazard to Via Verdi resulting from a recent sinkhole activity; and

WHEREAS, the cause of the sinkhole is under investigation and is possibly due to soils deleteriously affected by a combination of heavy rains, winter storms, groundwater, water intrusion, or creek flow; and

WHEREAS, the City Council found that conditions of extreme peril to the safety of persons and property had arisen as a result of continued movement of the sinkhole that imperils the roadway; and

WHEREAS, the City ratified the April 22, 2010 proclamation of a local emergency under Resolution No. 46-10 on April 27, 2010 as required by California Government Code Section 8630; and

WHEREAS, the City Council renewed and continued the local emergency under Resolution No. 59-10 on May 18, 2010 as required by California Government Code Section 8630; and

WHEREAS, California Government Code Section 8630 also requires that the governing body shall review, at its regularly scheduled meetings until the local emergency is terminated, the need for continuing the local emergency;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Richmond hereby confirms the continued existence of the local emergency declared on April 22, 2010 on and around Via Verdi in the City of Richmond.

BE IT FURTHER RESOLVED that during the existence of said local emergency the powers, functions, and duties of the emergency organization of this City shall be those prescribed by state law and the charter, ordinances, resolutions, and approved plans of the City of Richmond.

BE IT FURTHER RESOLVED that Council of the City of Richmond reiterates its request that the Governor of the State of California declare and proclaim a state of emergency in the City of Richmond with regards to the Via Verdi sinkhole.

I hereby certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held June 15, 2010, by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Rogers, Viramontes, Vice Mayor Ritterman, and Mayor McLaughlin.
NOES: None.
ABSTENTIONS: None.
ABSENT: None.

DIANE HOLMES
Clerk of the City of Richmond

[Seal]

APPROVED

GAYLE McLAUGHLIN
Mayor

Approved as to form:

RANDY RIDDLE
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. 71-10**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on June 15, 2010.