

RESOLUTION NO. 89-17

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA RENEWING AND CONTINUING THE LOCAL EMERGENCY DUE TO
LANDSLIDE DAMAGE ON VIA VERDI FIRST DECLARED BY THE CITY OF
RICHMOND ON FEBRUARY 28, 2017**

WHEREAS, the City Council declared the existence of a local emergency on February 28, 2017 due to the imminent hazard to Via Verdi resulting from a recent landslide activity; and

WHEREAS, the cause of the landslide is under investigation and is possibly due to soils deleteriously affected by a combination of heavy rains, winter storms, groundwater, water intrusion, or saturated soils; 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 landslide that imperils the roadway; and

WHEREAS, the City ratified the declaration of a local emergency under Resolution No. 13-17 on February 28, 2017 as required by California Government Code Section 8630; and

WHEREAS, California Government Code Section 8630 requires that the governing body shall review the need for continuing the local emergency at least once every 30 days until the local emergency is terminated; and

WHEREAS, the City Council renewed and continued the declaration of a local emergency under Resolution No. 24-17 on March 21, 2017, under Resolution No. 31-17 on April 4, 2017, under Resolution No. 38-17 on April 18, 2017, under Resolution No. 43-17 on May 2, 2017, under Resolution No. 51-17 on May 16, 2017, and under Resolution No. 60-17 on June 6, 2017, and under Resolution No. 66-17 on June 20, 2017; and

WHEREAS, the City Council will not meet during the month of August, 2017, due to summer recess and it wishes to delegate the authority to review and declare a local emergency to the City Manager.

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Richmond hereby confirms the continued existence of the local emergency declared on February 28, 2017 on and around Via Verdi in the City of Richmond.

BE IT FURTHER RESOLVED that the City Council, in order to continue to comply with California Government Code Section 8630, hereby delegates the authority to review and declare the continued existence of the local emergency declared on February 28, 2017, on and around Via Verdi in the City of Richmond, to the City Manager for a period of 30 days commencing August 1, 2017.

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 the Council of the City of Richmond hereby requests 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 landslide.

I certify that the foregoing resolution was passed and adopted by the Council of the City of Richmond at a regular meeting thereof held July 18, 2017, by the following vote:

AYES: Councilmembers Choi, Martinez, McLaughlin, Willis, Vice Mayor Beckles, and Mayor Butt.
NOES: None.
ABSTENTIONS: None.
ABSENT: Councilmember Myrick.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:

TOM BUTT
Mayor

Approved as to form:

BRUCE GOODMILLER
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. 89-17**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on July 18, 2017.



Pamela Christian, Clerk of the City of Richmond