

Office of the City Manager

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COUNCIL MEETING OF:

OCT 29 2019

OFFICE OF THE CITY CLERK
CITY OF BERKELEY

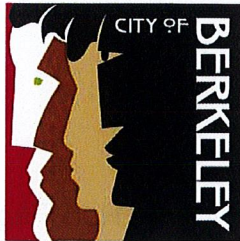
URGENCY ITEM AGENDA MATERIAL

Meeting Date: October 29, 2019

Item Description: Resolution Ratifying the Proclamation of Emergency by the Director of Emergency Services Due to PG&E Public Safety Power Shutoff

The attached agenda item regarding the Public Safety Power Shutoff is submitted by the City Manager for addition to the October 29, 2019 agenda. Items of an urgent nature, with a need to take immediate action may be added to the agenda pursuant to the Brown Act under Government Code Section 54954.2(b)(2). In order to add this item to the agenda, the council must vote by a 2/3 majority (six yes votes) to add the item to the agenda. Once the item is added to the agenda (Consent or Action) it requires a simple majority (five yes votes) for adoption.

This item requests the Mayor and City Council to review and ratify a Resolution declaring the Proclamation of Local Emergency issued on October 25, 2019 which empowered the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency.



City Attorney's Office

CONSENT CALENDAR

October 29, 2019

To: Honorable Mayor and Members of the City Council

From: Dee Williams-Ridley, City Manager

Submitted by: Farimah Brown, City Attorney

Subject: Resolution Ratifying the Proclamation of Emergency by the Director of
Emergency Services Due to PG&E Public Safety Power Shutoff

RECOMMENDATION

Adopt a Resolution Ratifying the Proclamation of Emergency by the Director of Emergency Services due to the PG&E Public Safety Power Shutoff beginning on October 25, 2019.

FISCAL IMPACTS OF RECOMMENDATION

To be determined.

CURRENT SITUATION AND ITS EFFECTS

Pursuant to California Government Code Section 8630, and Berkeley Municipal Code Chapter 2.88, on October 25, 2019 the City Manager, in her capacity as Director of Emergency Services, Proclaimed an Emergency due to conditions of extreme peril to the safety of persons and property within the City as a consequence of the Pacific Gas & Electric (PG&E) Public Safety Power Shutoff (PSPS) across the Bay Area impacting the City of Berkeley and its surrounding areas.

This item requests the Mayor and City Council to review and ratify a Resolution declaring the Proclamation of Local Emergency Issued on October 25, 2019 which empowered the Director of Emergency Services to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such local emergency.

BACKGROUND

The Director of Emergency Services proclaimed an Emergency due the planned power shutoff beginning October 25, 2019. PG&E informed City officials that critical weather conditions persist and power shutoffs were already underway in a significant portion of the Bay Area's Northern Counties with power shut-offs expected in the City of Berkeley by on October 25, 2019.

The National Weather Service has upgraded the Fire Weather Watch to multiple Red Flag Warnings and Wind Advisories for the Bay Area, which include the City of Berkeley through the end of October. Based on Red Flag Warnings, PSPS and Wind Advisories, the Director of Emergency Services operationalized the City's Emergency Operation Centers (EOCs) to support residents and to respond to the impacts of an extended power outage and potential wild fires.

ENVIRONMENTAL SUSTAINABILITY

Not applicable.

RATIONALE FOR RECOMMENDATION

The Resolution would enable the Director of Emergency Services to efficiently allocate resources due to the ongoing and imminent threat to public safety.

ALTERNATIVE ACTIONS CONSIDERED

None.

CONTACT PERSON

Dee Williams-Ridley, City Manager, City Manager's Office (510) 981-7000

Farimah Brown, City Attorney, City Attorney's Office (510) 981-6998

David Brannigan, Fire Chief, 981-5500

Attachments:

1: Resolution

RESOLUTION NO. -N.S.

RESOLUTION RATIFYING AND THE PROCLAMATION OF LOCAL EMERGENCY BY THE
DIRECTOR OF EMERGENCY SERVICES

WHEREAS, the Emergency Services Act, Government Code sections 8558(c) and 8630, authorize the proclamation of a local emergency when conditions of extreme peril to the safety of persons and property within the territorial limits of a city exist; and

WHEREAS, pursuant to Government Code section 8630 such an emergency may be proclaimed by the governing body or by an official designated by ordinance adopted by the governing body; and

WHEREAS, Berkeley Municipal Code section 2.88.040 provides that the City Manager, as the Director of Emergency Services, may request the City Council to proclaim the existence of a local emergency; and

WHEREAS, under provision of local law, if the City Council cannot be convened and, in the judgment of the Director of Emergency Services the circumstances warrant it, a proclamation of local emergency may be issued, which must be ratified or nullified by the City Council within seven days of issuance; and

WHEREAS, in accordance with authority granted under the above provisions of state and local law, the Director of Emergency Services beginning on October 25, 2019 did proclaim the existence of a local emergency caused by sudden and severe power shortages as a result of a Pacific Gas & Electric (PG&E) Public Safety Power Shutoff; and

WHEREAS, as a consequence of the power outages, public safety systems, communications including emergency alerts, infrastructure, water systems, transportation, schools, food storage, and the private sector may have been impacted; and

WHEREAS, the City Council does find that the aforesaid conditions were of extreme peril, and the City Council could not be convened at that time, and that these conditions did warrant and necessitate the proclamation of a local emergency.

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that it is hereby proclaimed and ordered that the Proclamation of Local Emergency, issued by the Director of Emergency Services, is hereby ratified and confirmed; and

BE IT FURTHER RESOLVED that said local emergency is deemed to continue to exist until its termination is proclaimed and ordered by the City Council; and

BE IT FURTHER RESOLVED, that during the existence of this 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 Berkeley.