

RESOLUTION NO. _____

**A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN
JOSE CONTINUING THE PROCLAMATION OF
EXISTENCE OF A LOCAL EMERGENCY ISSUED BY THE
DIRECTOR OF EMERGENCY SERVICES**

WHEREAS, Section 8.08.210 of Title 8 of the San José Municipal Code empowers the Director of the Office of Emergency Services (“OES”) to proclaim a local emergency if the Council of the City of San José (“City Council”) is not in session and requires that the City Council shall take action to ratify the proclamation within seven days thereafter; and

WHEREAS, conditions of extreme peril to the safety of persons and property arose within the City, as a result of flooding commencing on or about 10:00 a.m. on February 21, 2017, at which time City Council was not in session and the Director of OES issued a proclamation declaring the existence of a local emergency within the City; and

WHEREAS, on February 28, 2017, the City Council adopted Resolution No. 78096 to ratify and confirm the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, on March 28, 2017, the City Council adopted Resolution No. 78115 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, on April 25, 2017, the City Council adopted Resolution No. 78137 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, on May 23, 2017, the City Council adopted Resolution No. 78174 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, on June 20, 2017, the City Council adopted Resolution No. 78232 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES and authorizing the City Manager to continue the declaration of local emergency during the City Council's recess in the month of July 2017; and

WHEREAS, on August 8, 2017, the City Council adopted Resolution No. 78292 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, on August 29, 2017, the City Council adopted Resolution No. 78333 continuing the Proclamation of Existence of a Local Emergency issued by the Director of OES; and

WHEREAS, Government Code Section 8630(c) requires that the City Council review the need for continuing the local emergency at least once every thirty days until the governing body terminates the local emergency; and

WHEREAS, the associated emergency conditions are of an ongoing nature and the emergency should not be terminated at this time;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

1. The City Council has reviewed the need for continuing the declaration of local emergency and finds based on substantial evidence that the public interest and necessity require the continuance of the declaration of local emergency.

2. Said local emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of San José.
3. The Director of the Office of Emergency Services is hereby directed to report to the City Council within thirty days on the need for further continuing the local emergency.

ADOPTED this _____ day of _____, 2017, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

SAM LICCARDO
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk