

**TO:** City Council  
**FROM:** James L. App, City Manager  
**SUBJECT:** Local Emergency Declaration  
**DATE:** February 17, 2004

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**NEEDS:** For the City Council to consider continuation of a condition of local emergency declared December 22, 2003 following widespread damage as a result of earthquake.

- FACTS:**
1. On Monday, December 22, 2003, the City Manager, in his capacity as Director of Emergency Services, declared a local emergency due to widespread damage and hazardous conditions resulting from an earthquake of the same date.
  2. On Friday, December 26, 2003, the City Council confirmed the declaration of local emergency.
  3. California's Government Code requires the City Council to re-evaluate emergency conditions at every regularly scheduled Council meeting until the local emergency is terminated.
  4. The Council is also required to terminate the emergency "at the earliest possible date that conditions warrant."
  5. There are no specific criteria that must be present in order to continue a local emergency. Rather, the Council must determine that existing conditions caused by the earthquake merit continuing the local emergency.
  6. On January 6, January 20 and February 3, 2004, the City Council reviewed then existing conditions subsequent to the quake, and determined that a state of emergency still existed.

**ANALYSIS & CONCLUSION:** A number of buildings downtown remain highly hazardous and constitute a threat to public safety; access continues to be restricted. The problems associated with the seismic hot spring continue to be investigated. Additionally, more specific and current information will be provided orally at the February 17, 2004 City Council meeting.

Under the circumstances described above, the declaration of local emergency should remain in effect.

**POLICY REFERENCE:** California Government Code Sections 8630(c)(1) & 8630 (d).

**FISCAL IMPACT:** No direct fiscal impact.

- OPTIONS:**
- A. Adopt Resolution No. 04-xx determining that a local emergency continues to exist.
  - B. Amend, modify or reject the option above.

Attachment: Resolution

RESOLUTION NO. 04-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES  
DETERMINING THAT A LOCAL EMERGENCY CONTINUES TO EXIST

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WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City of Paso Robles, as a result of an earthquake on or about 11:15 a.m. on the 22nd day of December, 2003; and

WHEREAS, the City Manager acting as the Director of Emergency Services did proclaim the existence of a local emergency within the City on the 22nd day of December, 2003; and

WHEREAS, the City Council confirmed the City Manager/Director of Emergency Services' proclamation of the existence of a local emergency and found that conditions of extreme peril warranted and necessitated the proclamation of the existence of a local emergency in the vicinity of Paso Robles; and

WHEREAS, pursuant to Government Code section 8630, conditions of extreme peril persist that warrant continuing the local emergency.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of El Paso de Robles that the local emergency shall continue and shall be deemed to continue until the City Council of the City of El Paso de Robles determines that conditions warrant the termination of the local emergency.

ADOPTED by the City Council of the City of El Paso de Robles at a regular meeting of said Council held on the 17th day of February 2004 by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

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Frank R. Mecham, Mayor

ATTEST:

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Sharilyn M. Ryan, Deputy City Clerk