

RESOLUTION NO. 2010 - 76

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN BRUNO
RATIFYING CITY MANAGER'S PROCLAMATION OF
EXISTENCE OF LOCAL EMERGENCY,
RATIFYING CITY MANAGER'S IMMEDIATE EXPENDITURE
OF PUBLIC MONEY TO RESPOND TO EMERGENCY, AND
AUTHORIZING THE CITY MANAGER TO REQUEST
FINANCIAL ASSISTANCE FROM FEDERAL AND STATE AUTHORITIES**

WHEREAS, Section 2.48.110 of the San Bruno Municipal Code empowers the City Manager / Director of Emergency Services to proclaim the existence or threatened existence of a public emergency when the City is affected or likely to be affected by a public calamity and the City Council is not in session;

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within said city, caused by a ruptured 30-inch natural gas pipeline and fire commencing at approximately 6:15 p.m., on Thursday, September 9, 2010, and;

WHEREAS, the San Bruno City Council does hereby find that the aforesaid conditions of extreme peril did warrant and necessitate the proclamation of the existence of a Local Emergency; and

WHEREAS, the pipeline rupture has caused the need to make emergency repairs and expend public money to protect the public and safeguard life, health, and essential public services; and

WHEREAS, the City Manager / Emergency Services Director of the City of San Bruno did proclaim the existence of a Local Emergency within said city on the ninth day of September, 2010, and issued a second proclamation on September 10, 2010; and

WHEREAS, the emergency will require financial and other assistance from State and Federal authorities.

NOW, THEREFORE, BE IT PROCLAIMED AND RESOLVED that said Proclamation of Existence of Local Emergency, as issued by said City Manager / Emergency Services Director, is hereby ratified by the San Bruno City Council; and

IT IS FURTHER RESOLVED that the City Council finds based on substantial evidence that the public interest and necessity demand the immediate expenditure of public money to safeguard life, health, property, or essential public services and that the emergency will not permit a delay resulting from a competitive solicitation for bids, that this action is necessary to respond to the emergency, and that the City Manager's actions in responding to the emergency is hereby ratified;

IT IS FURTHER RESOLVED that the City Council finds that the emergency construction and/or repair to the public facility are necessary actions to prevent or mitigate an emergency and are exempt from CEQA under section 21080(b)(4);

IT IS FURTHER RESOLVED that the City Manager is hereby directed to report to the City Council at the next regularly scheduled meeting, and every Council meeting thereon until the emergency action is terminated.

IT IS FURTHER RESOLVED that the City Manager is authorized to request financial assistance from the State of California and Federal Government on behalf of the residents and City of San Bruno;

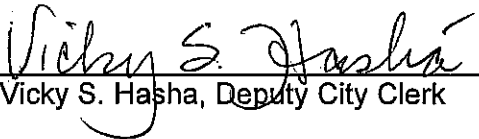
IT IS FURTHER RESOLVED that said Local Emergency shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of San Bruno, San Mateo County, California.

I hereby certify that foregoing **Resolution No. 2010 - 76**
was introduced and adopted by the San Bruno City Council at a regular meeting on
September 16, 2010, by the following vote following vote:

AYES: Councilmembers: Ibarra, Medina, O'Connell, Salazar, Mayor Ruane

NOES: Councilmembers: None

ABSENT: Councilmembers: None



Vicky S. Hasha, Deputy City Clerk