



## CITY COUNCIL AGENDA REPORT

**Meeting Date:** June 11, 2026  
**From:** Christina Fernandez, Assistant City Manager  
**Subject:** Process for Declaration of an Emergency

### Recommendation

Staff recommends the Emergency Preparedness Subcommittee receive a report on the process by which the City may declare an emergency. This is an informational item.

### Background/Discussion

The City Manager and the Director of Emergency Services may proclaim a local emergency when conditions of disaster or extreme peril exist, and City Council is not in session. The City Council must ratify the proclamation within 7 days and review it every 30 days until the emergency is terminated. A declaration is appropriate when local resources are insufficient to manage the emergency effectively. Below are the steps to declaring a public emergency within the City of Brisbane:

- Incident Identification & Assessment: Initial determination of severity and resource limitations.
- Declaration: The City Manager or the Director of Emergency Services issues the Local Emergency Proclamation.
- EOC Activation: The Emergency Operations Center is activated to coordinate communications, resources, and operations.
- City Council Action: Council reviews and ratifies the proclamation in a regular or special meeting.
- State & Federal Notification: Documents forwarded to Cal OES for potential state or federal assistance.
- Appointments: Hazard Mitigation Coordinator and Public Assistance/Individual Assistance representatives are designated.
- Ongoing Review: Council must revisit status every 30 days until termination is appropriate.

### Local Proclamations

The State of California Government Code allows a local emergency to be proclaimed by a city council, county, or by an official designated by ordinance adopted by the governing body.

If the City of Brisbane determines that the effects of an emergency are, or may become, beyond the capability of local resources, a local emergency can be proclaimed. The Director of Emergency Services may issue a proclamation of local emergency when the City Council is not in session. Such a local emergency proclamation is invalid after seven days unless ratified by the City Council.

Proclamations must be made within ten days of occurrence to qualify for assistance under the CDAA and must be renewed every 30 days until terminated.

A local emergency proclamation allows the Director of Emergency Services to take measures necessary to protect and preserve public health and safety and supports requests for state and federal assistance. A local proclamation clearly communicates to City residents, staff and other stakeholders the severity of the emergency. A proclamation also provides City staff with additional powers and authorities to increase the speed and effectiveness of City response activities. A local emergency proclamation does not automatically make the City eligible for state or federal disaster assistance. The City may simultaneously proclaim a local emergency and request a gubernatorial (state) or presidential (federal) disaster proclamation/declaration. San Mateo County can proclaim an emergency separately from the City. Their proclamation may also make the City eligible for future participation in state or federal disaster response/recovery efforts.

### State of Emergency

After a proclamation of a local emergency, the City Council, having determined that local resources are not sufficient to mitigate the situation, may request by letter or resolution that the Governor proclaim a state of emergency in the area to fully commit state and mutual aid assistance and provide resources to assist the local government. To support its request for a gubernatorial proclamation, it is essential that the City forward an estimate of damage and financial loss to Cal OES through the San Mateo OA as quickly as possible. Estimates of loss are an important part of Cal OES's criteria when deciding to proclaim a state of emergency and request a presidential declaration of emergency or disaster. A copy of the request for a Governor's proclamation, with the following supporting data, must be forwarded to the San Mateo OA Coordinator for transmission to the Cal OES Director:

- Copy of the local emergency proclamation
- IDE summary that estimates the severity and extent of the damage

Cal OES will prepare a recommendation on the action that the Governor should take. The Governor may also proclaim a State of Emergency without a local request if the safety of persons and property in the State is threatened by conditions of extreme peril or emergency conditions are beyond the emergency response capacity and capabilities of local authorities.

### State of War Emergency

In addition to declaring a State of Emergency, the Governor can proclaim a State of War Emergency whenever the state or the nation is attacked by an enemy of the United States or upon receipt by the state of a warning from the federal government indicating that such an enemy attack is probable or imminent. The provisions of the Governor granted under a State of War Emergency are the same as those granted under a State of Emergency.

### Presidential Declaration

Following the proclamation of a State of Emergency, and with or without the City's request, the Cal OES Director may recommend that the Governor request a Presidential Declaration of a major disaster under the authority of Public Law 93-288. The Governor's request to the President is

submitted through FEMA. Supplementary justification data may be required to accompany the state and local proclamations and initial damage estimate. A Presidential Declaration of Major Disaster is necessary to access most federal disaster assistance programs.

#### Other Powers

Other local, state, and federal authorities, such as public health emergencies or quarantines, may grant certain government officials broad powers to restrict movement or impose other restrictions in proclaimed emergencies.

Example of Local Proclamation:

**Proclamation Requesting that the Governor Proclaim a State of Emergency and  
that the Governor Request a Presidential Declaration of a Major Disaster**

WHEREAS, the Director of Emergency Services of the City of Brisbane found that due to \_\_\_\_\_, which commenced on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, a condition of extreme peril to life and property did exist in the City of Brisbane, and

WHEREAS, in accordance with state law and Brisbane Municipal Code, the Director of Emergency Services proclaimed the existence of a local emergency throughout said City effective the \_\_\_\_\_;

WHEREAS, it has now been found that local resources are unable to cope with the effect of said emergency;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED AND ORDERED that a copy of this proclamation be forwarded through the Director of the Office of Emergency Service to the Governor of California with the request that the Governor proclaim the City of Brisbane to be in a state of emergency; and that the Governor authorize assistance under the California Disaster Assistance Act; and further that the Governor request a Presidential Declaration of Major Disaster.

IT IS FURTHER RESOLVED that \_\_\_\_\_, is designated as the local Hazard Mitigation Coordinator of the City of Brisbane for the purpose of assessing damage within said county and consulting with federal/state survey teams about hazard mitigation actions.

IT IS FURTHER RESOLVED that \_\_\_\_\_, Director of Public Works, is hereby designated as the authorized representative of the City of Brisbane for public assistance and that \_\_\_\_\_, the Assistant to the City Manager, is hereby designated as the authorized representative of the City of Brisbane for individual assistance for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance.

SIGNED AND SUBSCRIBED at \_\_\_\_\_ on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

By: \_\_\_\_\_

Director of Emergency Services

\_\_\_\_\_

Print Name

\_\_\_\_\_

Address

**Fiscal Impact**

There is no fiscal impact to receiving this report.

**Attachments**

None