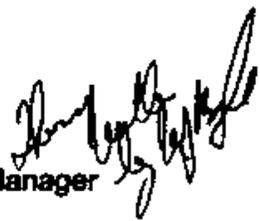


PLACER COUNTY
OFFICE OF EMERGENCY SERVICES

MEMORANDUM

To: Honorable Board of Supervisors

From: Thomas Miller, County Executive Officer
by: Rui Cunha, Emergency Services Program Manager 

Date: April 18, 2006

Subject: Adopt a resolution ratifying the Declaration of *Local Emergency*, and receive an initial update presentation on weather impacts in Placer County.

REQUESTED ACTION

Adopt a resolution ratifying the Declaration of *Local Emergency* made by the County Executive Officer on April 11, 2006 when the Board of Supervisors was not in session, and receive an initial update presentation on the effects of spring storms on Placer County and the response by County Departments/Agencies.

BACKGROUND

California Emergency Services Act, section 8630 (CGC Sec 8630) provides for the governing body of a county i.e., your Board, or an official designated by ordinance and adopted by your Board, to proclaim a local emergency. February 7, 2006 your Board approved an Ordinance amending Placer County Code Chapter 2, §2.88 to reflect the County Executive Officer as the Director of Emergency Services, who further delegated other duties, including proclaiming a state of *Local Emergency*, to the Assistant Director of Emergency Services, Michael J. Boyle. On Tuesday April 11, 2006 when the Board of Supervisors was not in session and due to the severity of damage to Foresthill Road and the potential impacts to the Foresthill community, Mr. Boyle, acting as Assistant Director of Emergency Services proclaimed a *Local Emergency*. Per CGC 8630 however, the proclamation shall only remain in effect for up to seven days unless ratified by your Board.

Ratification by Resolution affirms the validity of the Declaration made on April 11, 2006. In addition to proclaiming a local emergency, this declaration asks the Governor to declare the County of Placer a State Disaster Area, potentially making the County and any of its political subdivisions eligible to request and receive California Disaster Assistance funds. The next review of the Proclamation will be scheduled for the May 9, 2006 Board meeting.

Over the past months Placer County has experienced significant accumulations of precipitation. While the County's streams and creeks have handled the flows well, our roadways and driveways have sustained, in some cases, significant damage. Nowhere is this more evident than along Foresthill Road, East of Driver's Flat. The Department of Public Works expects Foresthill Road repairs to be ongoing through this coming summer.

Placer County continues to respond to slides and all forms of road obstructions. Our

Department of Public Works has had to respond to significant slides on Ophir Road, Rollins Lake Road, Old Foresthill Road and Yankee Jim Road to name a few.

FISCAL IMPACT

There are no impacts on the General Fund caused by ratifying the proclamation, however spring storms are likely to fiscally impact the County. Damage estimates and costs of recovery are still being tabulated. How much of it will be offset by State funds is as of yet indeterminate. However, the declaration may allow the County, and all of its political subdivisions, to recoup some or all of the costs incurred as a result of the recent weather.

Attachments

- (1) Resolution ratifying the Declaration of Local Emergency of April 11, 2006.
- (2) Copy of the April 11, 2006 Declaration

Before the Board of Supervisors County of Placer, State of California

In the matter of:
**A RESOLUTION REAFFIRMING THE EXISTENCE OF
A LOCAL EMERGENCY AS PROCLAIMED BY THE
DIRECTOR OF EMERGENCY SERVICES**

Resol. No: _____

Ord No: _____

First Reading: _____

The following RESOLUTION was duly passed by the Board of Supervisors of the
County of Placer at a regular meeting held April 18, 2006

by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Chair, Board of Supervisors

Attest:
Clerk of said Board

WHEREAS California Government Code, § 8550, the California Emergency Services Act, confers upon the governing bodies of the political subdivisions of this state emergency powers necessary to protect health and safety and preserve lives and property; and

WHEREAS California Government Code, § 8630 states that "[w]henver a local emergency is proclaimed by an official designated by ordinance, the local emergency shall not remain in effect for a period in excess of seven days unless it has been ratified by the governing body," and

WHEREAS Placer County Code, § 2.88.060, empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when this county is affected or likely to be affected by a public calamity; and

WHEREAS Placer County Code, § 2.88.060, further requires that the Board of Supervisors take action to ratify the said proclamation within seven (7) days thereafter, or the proclamation shall have no further force or effect, and that they shall review at least every 14 days until such local emergency is terminated, the need for continuing the local emergency; and

WHEREAS, a local emergency is deemed to exist in the County of Placer in accordance with the proclamation by the Assistant Director of Emergency Services on April 11, 2006 as a result of conditions of extreme peril to the safety of persons and property have arisen within the county caused by spring storms and significant damage to Placer County roadways, commencing on or about March 29, 2006, at which time the Board of Supervisors was not in session; and,

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency; and,

That local resources are still unable to cope with the effects of said emergency;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Placer, State of California hereby ratifies the proclamation of local emergency and said local emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors.

RESOLVED FURTHER, the Clerk of the Board of the Supervisors of the County of Placer shall certify the adoption of this resolution, and thenceforth and thereafter the same shall be in full force and effect.

**PROCLAMATION OF A LOCAL EMERGENCY
BY THE DIRECTOR OF EMERGENCY SERVICES, AND
REQUEST GOVERNOR PROCLAIM A STATE OF EMERGENCY**

PROCLAMATION OF LOCAL EMERGENCY

WHEREAS, California Government Code, § 8550, the California Emergency Services Act, confers upon the governing bodies of the political subdivisions of this state emergency powers necessary to protect health and safety and preserve lives and property; and

WHEREAS, California Government Code, § 8630 states that "a local emergency may be proclaimed only by the governing body of a county, city and county, or city or by an official so designated by ordinance adopted by such governing body;" and

WHEREAS, Ordinance 1437-B, was duly approved, signed and adopted by the Board of Supervisors of the County of Placer amending the Placer County Code relating to Placer County Emergency Services, now codified as Article 2.88 of Chapter 2 of the Placer County Code; and

WHEREAS, Placer County Code, Chapter 2, Article 2.88, Section 2.88.060 empowers the Director of Emergency Services to proclaim the existence or threatened existence of a local emergency when this county is affected or likely to be affected by a public calamity and the Board of Supervisors is not in session, subject to ratification by the Board of Supervisors within seven days and reaffirmation every 14 days thereafter until such local emergency is terminated; and

WHEREAS, the Director of Emergency Services of the County of Placer does hereby find:

That conditions of extreme peril to the safety of persons and property have arisen within the unincorporated area of this county, caused by rain and induced mud slides and damage to public roadways commencing on or about March 29, 2006; and,

That the Board of Supervisors of the County of Placer is not in session and cannot immediately be called into session;

That the aforesaid conditions of extreme peril warrant and necessitate the proclamation of the existence of a local emergency;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that a local emergency now exists throughout this county; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the county shall be those prescribed by state law, and by ordinance and resolutions of this county approved by the Board of Supervisors, and by the *Placer Operational Area Emergency Operations Plan*, as approved by the Board of Supervisors, May 11, 2004.

IT IS FURTHER ORDERED that a copy of this declaration be forwarded to the Governor of California with a request that he proclaim the County of Placer to be in a state of emergency.

Dated: April 11, 2006

By: 
Director of Emergency Services

