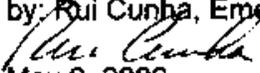


PLACER COUNTY
OFFICE OF EMERGENCY SERVICES

MEMORANDUM

To: Honorable Board of Supervisors

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

Date: 
May 9, 2006

Subject: Adopt a Resolution terminating the Declaration of Local Emergency made on April 18, 2006

REQUESTED ACTION

Adopt a Resolution terminating the Declaration of Local Emergency made by your Board on April 18, 2006.

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. By County Ordinance 2.88.060, the County Executive Officer is designated the Director of Emergency Services and he further delegated to the Assistant Director of Emergency Services, Michael J. Boyle, responsibility for proclaiming a *Local Emergency*.

On Tuesday April 11, 2006 when the Board of Supervisors was not in session and in response to spring rainstorms causing severe structural damage, the collapse of portions of Foresthill Road, and mudslides on other county roadways, Mr. Boyle proclaimed a *Local Emergency*. Your Board resolved on April 18, 2006 to reaffirm the proclamation, thereby extending its effective period to your next regularly scheduled Board meeting. As a result of the proclamation, the Governor declared the County of Placer a State Disaster Area, and further requested a Presidential declaration that will make the County eligible to request and receive both California and Federal Disaster Assistance funds.

CGC Sec 8630 further requires a review by your Board at each regularly scheduled meeting until the emergency is terminated. Your resolution then officially terminates the *Local Emergency*, which confirms that the County is able to manage recovery from the storms with its normal public safety services, personnel, equipment, and facilities.

FISCAL IMPACT

Detailed damage assessments are in process, and the current estimate for repairs are in excess of \$1.74 million. The Federal Emergency Management Agency Preliminary Damage Estimate Team corroborated the estimate on 24 April 2006, and County staff will continue to pursue maximum reimbursement from Federal and State sources.

Attachments

Placer County Board of Supervisors Resolution
Resolution ratifying the Declaration of Local Emergency of April 18, 2006.
Copy of the April 11, 2006 Declaration

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

In the matter of: **A RESOLUTION TERMINATING
THE DECLARATION OF A LOCAL EMERGENCY
MADE BY THE BOARD OF SUPERVISORS ON
APRIL 18, 2006**

Resol. No: _____

The following **Resolution** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **May 9, 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 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; and

WHEREAS California Government Code, § 8630 states that "the governing body shall review, at least every 14 days until such emergency is terminated, the need for continuing the local emergency;" and

WHEREAS Placer County Code, § 2.88.06 states that the Board of Supervisors shall review, at least every 14 days until such emergency is terminated, the need for continuing the local emergency, and shall proclaim the termination of such local emergency at the earliest date the conditions warrant; and

WHEREAS, a local emergency exists in the County of Placer in accordance with the proclamation by the Board of Supervisors on April 18, 2006 as a result of conditions of extreme peril to the safety of persons and by property by a spring rainstorms causing structural damage to roads and mudslides; and

WHEREAS, the situation resulting from said conditions of extreme peril is now deemed to be within the control of normal protective services, personnel, equipment, and facilities of and within the County of Placer;

NOW, THEREFORE, the Board of Supervisors of the County of Placer does hereby proclaim the termination of said local emergency.

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: 2006-86

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:

THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

Ayes: WEYGANDT, HOLMES, GAINES, KRANZ, SANTUCCI

Noes: NONE

Absent: NONE

ANN HOLMAN
Clerk of the Board of Supervisors, County
of Placer, State of California
Ann Holman
Deputy Clerk

Signed and approved by me after its passage.

Bill Santucci
Chair, Board of Supervisors

Attest:

Clerk of said Board

Ann Holman

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]henever 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

