

**PLACER COUNTY
OFFICE OF EMERGENCY SERVICES**

M E M O R A N D U M

To: Honorable Board of Supervisors

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

Date: January 22, 2008

Subject: Adopt a Resolution terminating the Proclamation of Local Emergency made on January 8, 2008.

REQUESTED ACTION

Adopt a resolution terminating the Proclamation of Local Emergency made by your Board on January 8, 2008.

BACKGROUND

Section 8630 of the California Emergency Services Act (CGC Sec 8630) stipulates that only your Board or an official designated by ordinance adopted by your Board, is authorized to proclaim existence of a local emergency. By County Ordinance 2.88.060, the County Executive Officer is designated as the Director of Emergency Services, and, as such, delegates duties, including the authority to proclaim existence of a Local Emergency, to the Assistant Director of Emergency Services, Assistant County Executive Officer, Michael J. Boyle.

On Sunday January 6, 2008 when the Board of Supervisors was not in session and in response to severe wind and rain that caused widespread damage including downed trees and power lines as well as an extended loss of power within Placer County, Mr. Boyle proclaimed a Local Emergency. Subsequently, your Board resolved on January 8, 2008 to ratify Mr. Boyle's proclamation as required by CGC 8630, thereby extending its effective period to January 22, 2008. As a result of your Board's proclamation, the Governor further declared that a state of emergency existed in Placer County, which allows the County and its political subdivisions to seek cost recovery for any extraordinary costs resulting from storm response, damage and debris removal.

CGC Sec 8630 further requires a review by your Board at least every 14 days until the emergency is terminated. Your resolution then officially terminates the local emergency, indicating that the County of Placer is able to manage response to the storm conditions with its normal protective services, personnel, equipment, and facilities.

FISCAL IMPACT

By your action on January 8 and subsequent action to include Placer County in the Governor's Proclamation, Placer County and its political subdivisions are eligible for cost recovery for up to 75% of uninsured costs of response, damage and debris removal exceeding \$2500.

This action to terminate the Declaration of Local Emergency made by your Board on January 8, 2008 does not impact ongoing cost recovery actions, and there is no impact to the General Fund as a result of this action.

Attachments

- (1) Resolution ratifying the Declaration of Local Emergency of January 6, 2008.
- (2) Copy of the January 6, 2008 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: 2008-4

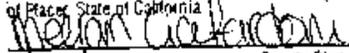
Ord No. _____

First Reading: _____

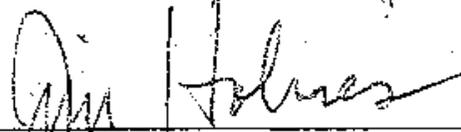
The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held January 8, 2008 by the following vote on roll call:

Ayes: ROCKHOLM, WEYGANDT, UHLER, KRANZ, HOLMES
Noes: NONE
Absent: NONE

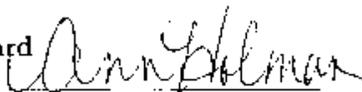
THE FOREGOING INSTRUMENT IS A CORRECT
COPY OF THE ORIGINAL ON FILE IN THIS OFFICE
ATTEST

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

Deputy Clerk

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 January 6, 2008 as a result of conditions of extreme peril to the safety of persons and property that have arisen within the county as caused by high winds, downed trees and power outages, commencing on or about January 4, 2008, 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.

RESOLVED FURTHER, that this resolution shall be forwarded to the Director of the Governor's Office of Emergency Services.

PROCLAMATION OF LOCAL EMERGENCY

WHEREAS California Government Code, § 8650 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; and

WHEREAS Placer County Code, Chapter 2, Article 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 this county, caused by severe wind and rain that caused downed trees and power lines and extended loss of power over widespread areas of the County commencing on or about Friday January 4, 2008, and.

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

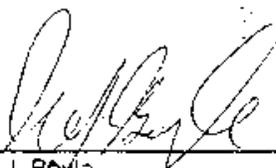
That the aforesaid conditions of extreme peril are likely to be beyond the control of services, personnel, equipment and facilities of the County and warrant and necessitate the proclamation of the existence of a local emergency.

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

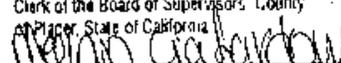
IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services and the emergency organization of the county shall be those prescribed by state law, and by ordinance and resolutions of this county approved 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 proclamation be forwarded to the Director of the Governor's Office of Emergency Services.

Dated: January 6, 2008

By:  1/6/08
Michael J. Boyle
Assistant Director of Emergency Services

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

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

Deputy Clerk

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

In the matter of: A RESOLUTION TERMINATING
THE LOCAL EMERGENCY PROCLAIMED BY
THE BOARD OF SUPERVISORS ON
JANUARY 8, 2008

Resol. No: _____

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **JANUARY 22, 2008** 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 the California Emergency Services Act, California Government Code, § 8550 et seq., confers upon the governing bodies of the political subdivisions of California the 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, § 2.88.60 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 January 8, 2008 as a result of conditions of extreme peril to the safety of persons and by property by a winter storm and flooding; 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.

