

**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, Assistant Director of Emergency Services

**Date:** May 3, 2011

**Subject:** Adopt a Resolution reaffirming your Board's April 11, 2011 Proclamation of a Local Emergency made due to propane leaks experienced since March in eastern Placer County

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**REQUESTED ACTION**

Adopt the attached resolution reaffirming the Proclamation of Local Emergency made by the Board of Supervisors on April 11, 2011 that was precipitated by a series of propane leaks in eastern Placer County located predominantly in the Serene Lakes community.

**BACKGROUND**

Section 8630 of the California Emergency Services Act (California Government Code (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 Code 2.88.050 the County Executive Officer is designated as the County Director of Emergency Services with authority to appoint an assistant director, a position now occupied by Rui Cunha, who among other duties, has been delegated the authority to declare the existence of a local emergency.

On April 9, 2011 when the Board of Supervisors was not in session, the Assistant Director of Emergency Services proclaimed a local emergency in consideration of the threat to public safety caused by multiple leaking propane tanks in the eastern Placer County community of Serene Lakes. The proclamation also requested that the Governor proclaim existence of a state of emergency in Placer County. The Board of Supervisors then ratified that proclamation in its regular meeting held on April 11, 2011. Leaks emanating from snow-buried propane tanks are volatile and on-going and continue to threaten public safety in numerous eastern county areas.

Per CGC 8630, your Board must reaffirm the continued existence of a local emergency every 30 days after the initial proclamation (April 11, 2011), a requirement met by your action on this issue today. Therefore, in order to address the issue at a regular meeting of your Board, it must be further reviewed and reaffirmed/terminated at the May 24, 2011 regular meeting of the Board.

**FISCAL IMPACT**

There are no impacts on the General Fund caused by ratifying the proclamation. However, the declaration may allow the County and response entities to recoup some or all of the costs incurred as a result of the response.

Attachments: Resolution  
Resolution 2011-86  
April 8, 2011 Proclamation

# 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 BOARD OF SUPERVISORS  
ON APRIL 11, 2011.**

Resol. No: \_\_\_\_\_

The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **May 3, 2011** by the following vote on roll call:

Ayes:

Noes:

Absent:

**Signed and approved by me after its passage.**

\_\_\_\_\_  
Chairman, Board of Supervisors

**Attest:**  
**Clerk of said Board** \_\_\_\_\_

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**WHEREAS**, Chapter 7 of Division 1 of Title 2 of the California Government Code, also known as the California Emergency Services Act, confers upon governing bodies of political subdivisions of the state emergency powers necessary to protect health and safety and preserve lives and property; and

**WHEREAS**, Paragraph 8630 of California Government Code states that "the governing body shall review, at least every thirty days until such emergency is terminated, the need for continuing the local emergency;" 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**, in accordance with the proclamation by the Board of Supervisors on April 11, 2011 a local emergency exists in the County of Placer as a result of conditions of extreme peril to the safety of persons and property that have arisen due to numerous leaking propane systems (tank, regulators and piping) commencing in late March, 2011 at which time the Board of Supervisors was not in session; and,

That the aforesaid conditions of extreme peril warranted and necessitated 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, IT IS HEREBY RESOLVED** that said local emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors of the County of Placer, State of California.

# 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 ASSISTANT DIRECTOR OF  
EMERGENCY SERVICES ON APRIL 8, 2011**

Resol. No: 2011-86

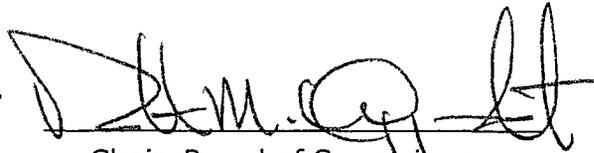
The following **RESOLUTION** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held **APRIL 11, 2011** by the following vote on roll call:

Ayes: DURAN, HOLMES, MONTGOMERY, WEYGANDT

Noes: NONE

Absent: UHLER

Signed and approved by me after its passage.



Chair, Board of Supervisors

**Attest:**  
**Clerk of said Board**



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**WHEREAS** Chapter 7 of Division 1 of Title 2 of California Government Code (CGC), also known as 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 or Assistant 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 said proclamation within seven (7) days thereafter or the proclamation shall have no further force or effect, and that they shall review the need for continuing the local emergency at regularly scheduled board meetings until such local emergency is terminated; 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 8, 2011 as a result of conditions of extreme peril to the safety of persons and property that have arisen within the county as caused by the existence of propane leaks that began in eastern Placer County in late March 2011 as a result of excessive snow loading and an explosion, thought to be caused by a propane leak, which destroyed a residence in the Serene Lakes community, 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 fully cope with all effects of said emergency;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of the County of Placer hereby ratifies the April 8, 2011 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 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** Placer County Code, Chapter 2, empowers the Director of Emergency Services and the Assistant 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 30 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 multiple propane leaks in the Serene Lakes subdivision in Soda Springs, commencing on or about March 29, 2011; and,

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

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 County and Placer Operational Area Emergency Operations Plan*, as approved by the Board of Supervisors, December 14, 2010.

**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 8, 2011

By:



Rui Cunha

Assistant Director of Emergency Services