



# RESOLUTION No. 21-364

## OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

### RESOLUTION PROCLAIMING A LOCAL EMERGENCY IN NEVADA COUNTY DUE TO THE RIVER FIRE (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, on August 4, 2021 in the early afternoon a wildfire commenced near the Bear River Campground, immediately west of Colfax, referred to as the "River Fire;" and

WHEREAS, the health, safety, and property of thousands of Nevada County residents living in and around the fire zone continues to be threatened, and has resulted in mass mandatory and voluntary evacuations and the destruction of multiple homes and structures; and

WHEREAS, on August 4, 2021, at approximately 3:00 p.m., Nevada County commenced emergency services and opened its emergency shelters to provide food, shelter, emergency supplies, social services, medical attention, and transportation for evacuees and their animals, as well as other necessary services to address the rapidly changing and emergent circumstances created by the River Fire; and

WHEREAS, on August 5, 2021, the Assistant Director of Emergency Services for the County of Nevada proclaimed the existence of a local emergency as a result of the River Fire and the associated threat to the health and safety of thousands of residents living in and around the fire zone; and

WHEREAS, on August 5, 2021, the Governor of California secured a Fire Management Grant from the Federal Emergency Management Agency to help ensure the availability of vital resources to suppress the River Fire; and

WHEREAS, the Board of Supervisors finds that the conditions created by the River Fire are likely to continue and remain beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County, and that a local emergency and emergency situation exists as set forth in California Government Code sections 8630 and 54956.5; and

WHEREAS, the aforesaid conditions of extreme peril warrant and necessitate the Proclamation of the Existence of a Local Emergency; and

WHEREAS, the aforesaid emergency necessitates the immediate expenditure of public monies to protect health, safety and property without complying with competitive bidding and other local purchasing, bidding, and procurement requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby Confirms and Proclaims that a local emergency now exists in Nevada County due to the impacts caused by the River Fire.

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby directs that:

1. The Proclamation of Existence of a Local Emergency shall be renewed and deemed to continue to exist as provided by state law or until its termination is proclaimed by the Board of Supervisors of the County of Nevada.
2. The Director of Emergency Services for the County of Nevada, or his/her designee, is hereby designated as the authorized representative of the County of Nevada for the purpose of receipt, processing, and coordination of all inquiries and requirements necessary to obtain available State and Federal assistance.
3. During the existence of said local emergency, competitive bidding and other local purchasing, bidding, and procurement requirements related to the Local Emergency are suspended.
4. The Director of Emergency Services or his/her designee immediately forward a certified copy of this Resolution proclaiming a local emergency to the Governor of California with a request that the Governor declare a State of Emergency for the County of Nevada.
5. During the existence of said local emergency the powers, functions, and duties of the Director of Emergency Services, or his designee, and the emergency organization of the County shall be those prescribed by state law, local ordinance and resolutions of this County approved by the Board of Supervisors, as approved by the Board of Supervisors.
6. A copy of this resolution be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in Plumas County; that the Governor waive regulations that may hinder response and recovery efforts; that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

PASSED AND ADOPTED by the Board of Supervisors of the County of Nevada at a regular meeting of said Board, held on the 10<sup>th</sup> day of August, 2021, by the following vote of said Board:

Ayes: Supervisors Heidi Hall, Edward Scofield, Dan Miller, Susan K. Hoek and Hardy Bullock.

Noes: None.

Absent: None.

Abstain: None.

ATTEST:

JULIE PATTERSON HUNTER  
Clerk of the Board of Supervisors

By: 

  
Dan Miller, Chair

**PROCLAMATION OF THE EXISTENCE OF A  
LOCAL EMERGENCY BY THE ASSISTANT  
DIRECTOR OF EMERGENCY SERVICES FOR  
THE COUNTY OF NEVADA DUE TO THE  
RIVER FIRE**

**WHEREAS**, Government Code section 8630 authorizes the proclamation of a local emergency by an official designated by ordinance adopted by the local governing body; and

**WHEREAS**, whenever a local emergency is declared by a local official designated by ordinance, said local emergency shall not remain in effect for more than seven (7) days unless it has been ratified by the governing body; and

**WHEREAS**, section A-III 2.6 of the County of Nevada Administrative Code (“Administrative Code”) authorizes the Director of Emergency Services of Nevada County to proclaim the existence or threatened existence of a local emergency whenever the County is affected or likely to be affected by a local emergency and the Nevada County Board of Supervisors is not in session; and

**WHEREAS**, section A-III 1.5 of the Administrative Code authorizes the Assistant Director of Emergency Services to assume the powers of the Director of Emergency Services when the Director is unavailable; and

**WHEREAS**, on August 4, 2021 in the early afternoon a wildfire commenced near the Bear River Campground, immediately west of Colfax, referred to as the “River Fire;” and

**WHEREAS**, the River Fire has consumed over 2400 acres, and numerous homes and structures have been destroyed, necessitating a unified command response by Cal FIRE and the Nevada County Consolidated Fire Protection District; and

**WHEREAS**, thousands of Nevada County residents are currently threatened by the rapid growth of the River Fire, resulting in a substantial risk to the safety of these residents and/or the loss of their homes and belongings, thereby necessitating mass mandatory and voluntary evacuations of those individuals living in and around the fire zone; and

**WHEREAS**, on August 4, 2021, at approximately 3:00 p.m., Nevada County commenced emergency services opening its emergency shelters to provide food, shelter, emergency supplies, social services, medical attention, and transportation for evacuees and their animals, as well as other necessary services to address the rapidly changing and emergent circumstances created by the River Fire; and

**WHEREAS**, on August 5, 2021, California secured a Fire Management Assistance Grant from the Federal Emergency Management Agency to help ensure the availability of vital resources to suppress the River Fire; and

**WHEREAS**, the conditions created by the River Fire are likely to be beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County; and

**WHEREAS**, the aforesaid conditions of extreme peril created by the River Fire constitute a local emergency and warrant and necessitate the Proclamation of the Existence of a Local Emergency; and

**WHEREAS**, the Board of Supervisors of the County of Nevada is not in session and cannot immediately be called into session to proclaim a local emergency caused by the River Fire.

**NOW, THEREFORE, IT IS HEREBY PROCLAIMED** by the Assistant Director of Emergency Services for the County of Nevada that as of August 5, 2021, a local emergency now exists in Nevada County as a result of the River Fire, which constitutes a substantial threat to the health and safety of thousands of residents in and around the fire zone; and

**IT IS FURTHER PROCLAIMED AND ORDERED** that during the existence of said local emergency the powers, functions, and duties of the Office of Emergency Services of Nevada County shall be those prescribed by state law, and by ordinances, resolutions and memorandums of understanding of Nevada County; and that this emergency proclamation shall expire seven (7) days after issuance unless this emergency proclamation is confirmed and ratified by the Nevada County Board of Supervisors.

**BE IT PROCLAIMED AND ORDERED** that a copy of this resolution be forwarded to the Director of the California Governor's Office of Emergency Services requesting that the Director find it acceptable in accordance with State law; that the Governor of California pursuant to the Emergency Services Act, issue a proclamation declaring an emergency in Nevada County; that the Governor waive regulations that may hinder response and recovery efforts; that response and recovery assistance be made available under the California Disaster Assistance Act; and that the State expedite access to State and Federal resources and any other appropriate federal disaster relief programs.

Dated: August 5, 2021

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



Paul Cummings  
Assistant Director of  
Emergency Services  
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