



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION RATIFYING A LOCAL EMERGENCY PROCLAMATION BY THE NEVADA COUNTY DIRECTOR OF EMERGENCY SERVICES AND DECLARING A FURTHER EMERGENCY DUE TO RECURRENT PUBLIC SAFETY POWER SHUTOFFS IN RESPONSE TO EXTREME WEATHER CONDITIONS RESULTING IN UNPRECEDENTED WIND EVENTS AND HIGH FIRE DANGER IN NEVADA COUNTY; AND REQUESTING THAT THE GOVERNOR CONTINUE TO MAINTAIN A STATE OF EMERGENCY FOR THE COUNTY OF NEVADA (4/5 AFFIRMATIVE VOTE REQUIRED)

WHEREAS, the California Emergency Services Act, commencing with California Government Code section 8550, provides state assistance and resources to local jurisdictions in the event of a local emergency; and

WHEREAS, Government Code Section 8630 authorizes the proclamation of a local emergency by an official designated by ordinance adopted by the local governing body provided that such emergency proclamation is ratified by the governing body within seven (7) days; and

WHEREAS, Section A-III 2.6 of the County of Nevada Administrative Code authorizes the Director of Emergency Services of the County 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, subject to ratification by the Nevada County Board of Supervisors within seven (7) calendar days of the date said local emergency was proclaimed; and

WHEREAS, on October 27, 2019, Governor Gavin Newsom Proclaimed a State of Emergency to exist in California due to extremely dangerous fire weather resulting in the de-energization of power lines known as a "Public Safety Power Shutoff" ("PSPS"); and

WHEREAS, due to extreme weather conditions resulting in unprecedented wind events and recurrent high fire danger, on or about October 9, 2019, PG&E began implementing a series of Public Safety Power Shutoffs, including the most recent PSPS initiated on October 29, 2019, affecting multiple counties in the Northern California, including most of Western Nevada County and portions of the greater Truckee area; and

WHEREAS, the emergency is expected to remain in place for a period of several days to several weeks due to ongoing severe fire danger and the likelihood of subsequent PSPS events; and

WHEREAS, the effects of said emergency are or are likely to be beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County and due to the aforesaid conditions of extreme peril the Director of Emergency Services proclaimed a local emergency as of February 22, 2017, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the series of Public Safety Power Shutoffs have left thousands of customers throughout Western Nevada County without power and critical infrastructure for multiple days, including County households, small businesses, public facilities, medical care facilities, and schools, and given the size of the PSPS it may take several days to fully restore power to Nevada County; and

WHEREAS, the loss of power for an extended period of time places residents at risk, especially those who are medically vulnerable and/or elderly and therefore constitutes a public health and safety emergency; and

WHEREAS, due to the series of PSPS events resulting in extended loss of power, many small businesses and their employees have and will continue to experience significant economic losses, leaving them in need of additional support; and

WHEREAS, cities within the County desire a local emergency proclamation in order to support their residents and local businesses impacted by the PSPS; and

WHEREAS, pursuant to Government Code section 8558 such a sudden and severe energy shortage requires extraordinary measures beyond the authority vested in the California Public Utilities Commission; and

WHEREAS, at the time of the commencement of the said local emergency the Board of Supervisors was not in session and could not immediately be called into session; and

WHEREAS, the local emergency proclamation must be ratified by the Nevada County Board of Supervisors within seven (7) calendar days of the date said local emergency was declared; and

WHEREAS, the County desires that the Governor of the State of California continue to declare a state emergency on behalf of Nevada County and provide assistance through the California Disaster Assistance Act and expedite access to all available federal resources, aid and relief programs; and,

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

WHEREAS, these conditions are likely to be beyond the control, capacity, and resources of the services, personnel, equipment, and facilities of Nevada County, and local resources are unable to cope with the effects of said emergency; and

WHEREAS, the County desires that the Governor of the State of California continue to maintain a State of Emergency for the County of Nevada, provide assistance through the California Disaster Assistance Act and expedite access to all available federal resources, aid and relief programs; and,

WHEREAS, the Board of Supervisors finds that a local emergency and emergency situation exists as set forth in California Government Code sections 8630 and 54956.5; and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California hereby ratifies the local emergency proclamation issued by the Director of Emergency Services on October 29, 2019, and declares that a further emergency exists throughout Nevada County commencing on or about November 5, 2019, due to recurrent Public Safety Power Shutoffs in response to extreme weather conditions resulting in unprecedented wind events and high fire danger in Nevada County. The Board of Supervisors also affirms and ratifies any and all actions taken by the Purchasing Agent in accordance with said Emergency Proclamation. A copy of said local Emergency Proclamation is attached hereto as Exhibit A.

BE IT FURTHER RESOLVED, that the Board of Supervisors further directs as follows:

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, 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. The Director of Emergency Services or his designee immediately forward a certified copy of this resolution proclaiming a local emergency to the Governor of California with requests that the Governor continue to maintain a State of Emergency for the County of Nevada, that the State of California waive regulations that may hinder response and recovery efforts and make available recovery assistance under the California Disaster Assistance Act, and that the State expedite access to federal resources and any other appropriate federal relief programs.
4. 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.