



RESOLUTION No. _____

OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NEVADA

RESOLUTION TO TERMINATE THE PROCLAMATIONS OF LOCAL EMERGENCIES IN NEVADA COUNTY DUE TO EXTREME AND CUMULATIVE PRECIPITATION, ATMOSPHERIC RIVERS AND STORMS IN JANUARY AND FEBRUARY 2017 RESULTING IN FLOODING, SUBSIDENCE AND OTHER DAMAGE TO PUBLIC AND PRIVATE INFRASTRUCTURE AND FACILITIES

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 January 11, 2017, the Director of Emergency Services proclaimed the existence of a local emergency due to extreme weather and precipitation from an atmospheric river event which caused flooding and road damage throughout the County (the "January Storm Event") and extended certain emergency powers to the County Executive Officer and the County Road Commissioner, as provided by law; and

WHEREAS, on January 17, 2017, by Resolution 17-035 the Board of Supervisors County of Nevada ratified said emergency proclamation for the January Storm Event; and

WHEREAS, on January 23, 2017, Governor Brown proclaimed a State of Emergency for many California counties, including the County of Nevada, due to extensive storm-related flooding and road damage throughout the state; and

WHEREAS, on February 14, 2017, by Resolution 17-076 the Board of Supervisors declared the continuation of the local emergency related to the January Storm Event; and

WHEREAS, on February 22, 2017, the Director of Emergency Services proclaimed the existence of a further local emergency due to extreme weather and cumulative precipitation, atmospheric rivers and storms which caused additional, continuing and cumulative flooding and significant damage to roads and wastewater facilities throughout the County (the "February Storm Events") and extended certain emergency powers to the County Executive Officer and the County Road Commissioner, as provided by law; and

WHEREAS, on February 28, 2017, by Resolution 17-103 the Board of Supervisors County of Nevada ratified said emergency proclamation for the February Storm Events; and

WHEREAS, on March 14, 2017, by Resolution 17-124, the Board of Supervisors authorized combining the two existing emergency proclamations for the January and February storm events into a single emergency proclamation and resolution for clarity and administrative efficiency and to continue these emergency declarations for a reasonable period of time; and

WHEREAS, since the adoption and ratification of these local emergency resolutions, the County continued to discover and identify additional damage to public and private infrastructure, structures and facilities due to these extreme weather events and excessive precipitation throughout the County, including additional subsidence affecting County-owned roads and property, and subsidence affecting the habitability of certain private homes in the Cascade Shores area; and

WHEREAS, the effects of said emergencies are now deemed to be within the control of the normal protective services, personnel, equipment and facilities within the County of Nevada and the Director of Emergency Services has recommended that the Board of Supervisors terminate the Emergency Proclamations in connection with the January 2017 and February 2017 Storm Events.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Nevada, State of California, hereby terminates the Emergency Proclamations in Nevada County related to extreme and cumulative precipitation, atmospheric rivers and storms in January and February 2017 resulting in flooding, subsidence and other damage to public and private infrastructure and facilities.