

THE BOARD OF SUPERVISORS OF THE COUNTY OF STANISLAUS
STATE OF CALIFORNIA

Date: February 14, 2017

THE FOLLOWING RESOLUTION WAS ADOPTED:

**PROCLAMATION OF EXISTENCE OF A LOCAL EMERGENCY DUE TO FLOODING IN VARIOUS
LOCATIONS IN STANISLAUS COUNTY**

WHEREAS, California Government Code section 8630 empowers the Board of Supervisors to proclaim the existence of a local emergency when Stanislaus County is threatened or likely to be threatened by the conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County; and,

WHEREAS, California Government Code section 8558(c) states that a "local emergency" means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the County; and,

WHEREAS, during January and February 2017, three atmospheric river storm events swept across California, bringing high winds, substantial precipitation, and flooding, which has severely impacted counties throughout the State; and,

WHEREAS, on January 23, 2017, the Governor of the State of California proclaimed a state of emergency in the State of California due to flood conditions in the state, specifically listing Stanislaus County one of the affected counties; and,

WHEREAS, rivers and creeks in Stanislaus County are at or near flood stage; and,

WHEREAS, two residential communities adjacent to the San Joaquin River have been flooded and displaced numerous families, and other areas are threatened with flooding; and,

WHEREAS, numerous roads in Stanislaus County have flooded and have been closed to traffic due to dangerous conditions, and such flooded roads have and continue to deteriorate due to flooding; and,

WHEREAS, recent flooding due to rain and snow events in the region have negatively impacted and continue to threaten the County's economy, and County staff are still assessing the full scope of the damage as a result of these storms; and,

WHEREAS, additional rain and snow storms are expected to occur, which will increase the threat and extent of flooding in Stanislaus County, and these conditions are likely to exceed local resources and capabilities, including services, equipment, personnel, and fiscal resources of the County of Stanislaus.

THEREFORE, IT IS HEREBY PROCLAIMED:

1. That for reasons set forth herein, a local emergency now exists throughout Stanislaus County; and,
2. That federal and state agencies are requested to provide financial and other assistance to residents, businesses, and local governments in Stanislaus County to help them mitigate the flood conditions; and,
3. That Stanislaus County residents and businesses heed the advice of emergency officials with regard to this emergency in order to protect their safety.

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local drought emergency the powers, functions, and duties of the emergency organization of this County shall be those prescribed by state law, ordinances, and resolutions existing and passed in conjunction with this emergency, and that this emergency shall be deemed to continue to exist until the Board of Supervisors of the County of Stanislaus, State of California, proclaims its termination. Further, it is directed that this emergency proclamation be forwarded to the Director of the Governor's Office of Emergency Services and the Governor of the State of California.

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that the Board of Supervisors of the County of Stanislaus hereby authorizes the undertaking of all extraordinary police and planning powers in response to this local flood emergency including but not limited to the ability to modify, amend, or issue planning codes, building or safety codes, environmental health codes, and such other codes, orders, and regulations as determined necessary for the duration of the emergency.

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that public employees, officers, and governing bodies within the County are hereby granted full immunity to the extent allowed by law for actions undertaken in compliance with this proclamation.

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that during the existence of this local flood emergency, the Stanislaus County Director of Emergency Services may request the Board of Supervisors to amend this proclamation of a local emergency and, if this Board is not in session to amend this proclamation as necessary and, if this proclamation is amended by the Director of Emergency Services, the Board shall take action to ratify the amendment within 7-days thereafter or the amendment shall have no further force or effect.

BE IT FURTHER RESOLVED, PROCLAIMED AND ORDERED that this Board of Supervisors will review the need for continuing the local drought emergency at least once every 30-days until this Board terminates the emergency.