

Filed: _____, 2021

No. _____

By: _____

Clerk of the Board of Supervisors



**RESOLUTION
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE**

Proclaiming Local State of Emergency in Tuolumne County due to winter storms;

WHEREAS, California Government Code section 8630 and Chapter 2.40 of the Codified Ordinance of the County of Tuolumne empowers the Board of Supervisors to proclaim the existence or threatened existence of extreme peril to the safety of persons and property and are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County; and

WHEREAS, The authority to declare a state of local emergency rests with the Board of Supervisors. If the Chairperson of the Board finds that circumstances prohibit timely action of the Board, the Chairperson of the Board is empowered to declare a state of emergency; and

WHEREAS, The National Weather Service has forecasted low elevation snow and cold temperatures expecting to last more than three days; and

WHEREAS, Board of Supervisors does hereby find that conditions of extreme peril to the safety of persons and property have arisen within Tuolumne County, caused by severed weather which began on Tuesday January 26, 2021; that these conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the County, and; that the County Board of Supervisors of the County of Tuolumne is not in session and cannot immediately be called into session; and

WHEREAS, the winter storms the week of January 25, 2021 brought significant snow and wind to the east side of Tuolumne County causing significant damage and limiting ingress/egress for emergency personnel and the general public, qualifies as an emergency under Tuolumne Ordinance Code section 3.22.060 as a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services; and

WHEREAS, Public Contract Code section 22050 allows the Board of Supervisors, by a four-fifths vote, to delegate by resolution the authority to order any necessary action to repair or replace a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

NOW THEREFORE BE IT RESOLVED that a local emergency now exists throughout the County, and; the Tuolumne County Board of Supervisors do hereby find that the aforesaid conditions of extreme peril warrant and necessitate the proclamation of a local emergency in Tuolumne County and imminent threat of disaster as the result of tree mortality.

BE IT FURTHER RESOLVED that the Tuolumne County Board of Supervisors does hereby request the Governor of the State of California Proclaim a State of Emergency, approve California Disaster Assistance Act (CDAA) and seek a Federal assistance via a Presidential Proclamation.

BE IT FURTHER RESOLVED, be it resolved that the Board of Supervisors does hereby delegate authority to the County Administrative Officer to take any directly related and immediate action required by this emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts pursuant to Public Contract Code section 22050 and Tuolumne Ordinance Code section 3.22.060.

BE IT FURTHER RESOLVED, that the Board of Supervisors shall review any action ordered by the County Administrative Officer at its next regularly scheduled meeting and at least at every regularly scheduled meeting thereafter until the action is terminated. The Board shall determine, by a four-fifths vote, that there is a need to continue the action, if necessary.

BE IT FURTHER RESOLVED that the County of Tuolumne also requests the State of California to waive regulations that may hinder response (Department of Industrial Relations Registration) and recovery efforts, make available assistance under the California Disaster Assistance Act or any other state funding (e.g. SRA Grant Funds, AB32 Funds, etc...), and to expedite access to federal resources and any other appropriate federal disaster relief programs (e.g. USDA Funding, etc...).

BE IT FURTHER RESOLVED AND ORDERED that said local State of Emergency shall be deemed to continue to exist until its termination is proclaimed by the Board of Supervisors, County of Tuolumne, State of California.

ADOPTED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF TUOLUMNE ON

_____:

AYES:	1st Dist. _____	NOES:	_____	Dist.	_____
	2nd Dist. _____		_____	Dist.	_____
	3rd Dist. _____	ABSENT:	_____	Dist.	_____
	4th Dist. _____		_____	Dist.	_____
	5th Dist. _____	ABSTAIN:	_____	Dist.	_____

Ryan Campbell
CHAIRMAN OF THE BOARD OF SUPERVISORS

ATTEST: _____ No. _____

Clerk of the Board of Supervisors