



**Health & Human Services
Agency
COUNTY OF TULARE
AGENDA ITEM**

BOARD OF SUPERVISORS

KUYLER CROCKER
District One

PETE VANDER POEL
District Two

AMY SHUKLIAN
District Three

J. STEVEN WORTHLEY
District Four

MIKE ENNIS
District Five

AGENDA DATE: June 27, 2017

Public Hearing Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Scheduled Public Hearing w/Clerk	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Published Notice Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Advertised Published Notice	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Meet & Confer Required	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Electronic file(s) has been sent	Yes	<input checked="" type="checkbox"/>	N/A	<input type="checkbox"/>
Budget Transfer (Aud 308) attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Personnel Resolution attached	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
Agreements are attached and signature line for Chairman is marked with tab(s)/flag(s)	Yes	<input type="checkbox"/>	N/A	<input checked="" type="checkbox"/>
CONTACT PERSON: Andrew Lockman PHONE: 559-624-8000				

SUBJECT: Ratify a proclamation of local emergency and evacuation orders related to Kings River flooding

REQUEST(S):
That the Board of Supervisors:

1. Ratify the June 23, 2017 proclamation of local emergency due to flooding; and
2. Ratify and confirm the emergency orders issued by the Director of Emergency Services or successor during the period of June 23, 2017 through June 27, 2017, including evacuation orders and any orders rescinding evacuation orders, issued in response to flood incidents along the Kings River.

SUMMARY:
On Friday, June 23, 2017, flooding was reported in and around the Kings River Golf & Country Club. Tulare County Fire and Tulare County Sheriff's Office personnel responded initially, with subsequent resources and support being provided by the County's Resource Management Agency, Purchasing Department, and Office of Emergency Services, as well as CAL FIRE, the Governor's Office of Emergency Services, the Department of Water Resources, and the Department of Transportation. Significant personnel, equipment, and material resources were engaged to protect the approximately 90 homes at immediate risk of flooding, and both voluntary evacuation advisories and mandatory evacuation orders were issued to protect life safety. Fire's Swift Water Rescue Team was deployed to assist with evacuations in areas with rapidly rising, fast moving flood waters.

SUBJECT: Ratify a proclamation of local emergency and evacuation orders related to Kings River flooding

DATE: June 27, 2017

Section 1-15-1030 of the Tulare County Ordinance Code empowers the Director of Emergency Services or successor to proclaim a local emergency and issue orders when the Board of Supervisors is not in session. On June 23, 2017, as flood waters were rising and the Director of Emergency Services was not immediately available (and there is no Coordinator of Emergency Services), the Emergency Services Manager proclaimed a local emergency for the County, due to flooding incidents along the Kings River beginning on June 18, 2017, and the significant flooding incident near the Kings River Golf & Country Club beginning on June 23, 2017, finding that conditions of extreme peril to the safety of persons and property had arisen within the County. The proclamation ceases to be effective if it is not ratified by the Board within 7 days, and renewed by the Board every 30 days thereafter until terminated.

A proclamation of local emergency is a prerequisite to requesting a Governor's Proclamation of a State of Emergency and applicable disaster relief, such as that needed for any emergency actions and for restoration of public facilities and infrastructure. A request for such assistance must be made by the County Administrative Officer (or by the Board of Supervisors) to the OES Director within 10 days of the incident requiring the proclamation of the local emergency.


FISCAL IMPACT/FINANCING:

There is no cost to issuing, ratifying, or rescinding proclamations of local emergency or mandatory evacuation orders. At the time of this writing, Departments are compiling their response cost information.

LINKAGE TO THE COUNTY OF TULARE STRATEGIC BUSINESS PLAN:

The County's five-year strategic plan includes the Safety and Security and Quality of Life initiatives, with a goal of providing coordinated emergency preparedness, response, and recovery and mitigation capabilities for both natural and man-made disasters. This proclamation and order protect the health and safety of the public by removing persons from conditions of immediate danger, and ratification of these actions complies with legal requirements.

ADMINISTRATIVE SIGN-OFF:



Jason T. Britt
Agency Director

cc: Auditor-Controller
County Counsel
County Administrative Office (2)

Attachment(s) Proclamation of Local Emergency and Mandatory Evacuation Order

**BEFORE THE BOARD OF SUPERVISORS
COUNTY OF TULARE, STATE OF CALIFORNIA**

IN THE MATTER OF RATIFY A)
PROCLAMATION OF LOCAL EMERGENCY) Resolution No. _____
AND EVACUATION ORDERS RELATED) Agreement No. _____
TO KINGS RIVER FLOODING)

UPON MOTION OF SUPERVISOR _____, SECONDED BY
SUPERVISOR _____, THE FOLLOWING WAS ADOPTED BY THE
BOARD OF SUPERVISORS, AT AN OFFICIAL MEETING HELD _____
_____, BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSTAIN:
ABSENT:

ATTEST: MICHAEL C. SPATA
COUNTY ADMINISTRATIVE OFFICER/
CLERK, BOARD OF SUPERVISORS

BY: _____
Deputy Clerk

* * * * *

Ratified the June 23, 2017 proclamation of local emergency due to flooding; and

Ratified and confirmed the emergency orders issued by the Director of Emergency Services or successor during the period of June 23, 2017 through June 27, 2017, including evacuation orders and any orders rescinding evacuation orders, issued in response to flood incidents along the Kings River.

A PROCLAMATION BY THE DIRECTOR OF EMERGENCY SERVICES OF THE COUNTY OF TULARE, STATE OF CALIFORNIA, PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY DUE TO FLOOD AND ORDERING MANDATORY EVACUATION PURSUANT TO CALIFORNIA GOVERNMENT CODE §8550 *et seq.*

WHEREAS, Section 1-15-1030 of the Tulare County Ordinance Code (the "Code") empowers the Director of Emergency Services of the County of Tulare (or successor, if the Director is incapacitated, unavailable, and/or otherwise unable to perform his or her duties) to issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, provided that such rules and regulations are confirmed by the Board of Supervisors at the earliest practicable time;

WHEREAS, Section 1-15-1005(a) of the Code defines "emergency" to include "the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within this County caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, earthquake, or other conditions, ... which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of this County, requiring the combined forces of other political subdivisions to combat";

WHEREAS, pursuant to Section 1-15-1005(d) of the Code, "disaster" includes flood or other public calamity;

WHEREAS, when a local emergency is proclaimed, Section 1-15-1030 of the Code empowers the Director of Emergency Services or next higher person in the order of succession to make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such emergency, provided that such rules and regulations are confirmed by the Board of Supervisors at the earliest practicable time;

WHEREAS, the Kings River near Highway 99 began flooding on or about June 18, 2017, due in part to the increased snow melt run-off flowing into local reservoirs, and the related necessary flood control releases;

WHEREAS, on June 18, 2017, the Tulare County Fire Department and Tulare County Sheriff's Department began advising individuals of the dangers posed by the flooding of the Kings River near Highway 99, and encouraging affected residents and occupants to leave;

WHEREAS, on June 18, 2017, the Director of Emergency Services ordered a mandatory evacuation for Riverland RV Park, 8743 Highway 99 pursuant to a proclamation of local emergency on April 4, 2017;

WHEREAS, on June 23, 2017, it was determined that due to the breach of the Kings River, additional flooding continues to endanger persons and property in or around the Kings River Golf and Country Club, along the Kings River near Highway 99;

WHEREAS, this flood event has been and continues to be beyond the control of the services, personnel, equipment, and facilities of the County and private property owners, and has required and continues to require the combined forces of other political subdivisions to combat; and

WHEREAS, the Director of Emergency Services, or successor, does hereby find that flooding on the Kings River near Highway 99 continues to present conditions of extreme peril to the safety of persons and property within the County of Tulare, including residences located in or around the Kings River Golf and Country Club, and that evacuations are necessary to protect both life and property;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED by the Tulare County Director of Emergency Services, or successor, that due to the Kings River flooding, conditions of disaster and extreme peril to the safety of persons and property have arisen within the County of Tulare and, therefore, a local emergency now exists in Tulare County;

IT IS FURTHER PROCLAIMED that a mandatory evacuation order is now in effect for the following areas: Quadrant 1 – Avenue 408 to Avenue 400; Road 28 to Road 32/Jasper Drive; Quadrant 2 - Avenue 393 to Avenue 400; East of the Kings River to Road 33; South of the Kings River to Avenue 393.

IT IS FURTHER ORDERED that the Tulare County Sheriff and any other law enforcement personnel providing mutual aid, be authorized to evacuate all persons from the above areas, with reasonable force to be used as needed to enforce this Order.

IT IS FURTHER ORDERED that the Tulare County Sheriff shall allow residents of the above areas to reenter the areas to inspect their homes and retrieve their belongings, when he deems it safe to reenter.

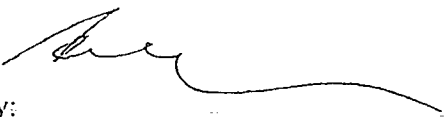
This Proclamation and these Orders are issued pursuant to the Emergency Services Act, commencing with Government Code §8550. This Emergency Proclamation shall be reviewed and ratified by the Tulare County Board of Supervisors within 7 days, or it shall have no further force or effect. The Mandatory Evacuation Order must be confirmed at the earliest practicable time by the Board of Supervisors.

This Order shall take effect immediately.

It is so ordered and proclaimed this 23 day of June, 2017 at 11:55 p.m.

MICHAEL C. SPATA, CAO
DIRECTOR OF EMERGENCY SERVICES

By: _____


Andrew Lockman
Emergency Services Manager
County of Tulare