



COUNTY OF KINGS BOARD OF SUPERVISORS

GOVERNMENT CENTER HANFORD, CALIFORNIA 93230 (559) 852-2362
Catherine Venturella, Clerk of the Board of Supervisors

AGENDA ITEM July 11th, 2017

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SUBMITTED BY: County Counsel – Colleen Carlson

SUBJECT: RENEWAL OF DECLARATION OF LOCAL EMERGENCY DUE TO FLOOD
CONDITIONS IN KINGS COUNTY

SUMMARY:

Overview:

On June 13, 2017, the Kings County Board of Supervisors (“Board”) ratified the proclamation of a local emergency due to conditions of extreme peril to the safety of persons and property caused by excessive precipitation and flooding.

Recommendation:

Renew the declaration of a local emergency due to flood conditions in Kings County.

Fiscal Impact:

The declaration of local emergency may provide some financial and administrative relief to help local farmers, businesses, and government agencies in addressing the problems associated with flood risk.

BACKGROUND:

The California Emergency Services Act, Government Code section 8550, *et seq.*, authorizes the Board to proclaim local emergencies based on the “existence of conditions of disaster or of extreme peril to safety of persons and property” caused by flood (Gov. Code § 8558, subd. (c)). Thereafter, the County may work with the California Emergency Management Agency to seek aid, and may also appropriate and transfer funds to address emergency situations upon a four-fifths vote (Gov. Code § 29127.). On February 17, 2017, the County’s Emergency Services Director proclaimed a local emergency due to flood conditions, pursuant to Government Code section 8630, subdivision (a), and Kings County Ordinance Code section 6-7(A)(1).

(Cont’d)

BOARD ACTION:

APPROVED AS RECOMMENDED: OTHER: _____

**ROLL CALL: NEVES, VERBOON, FAGUNDES, VALLE – AYE
PEDERSEN - ABSENT**

[Reference: See Resolution No. 17-012.5, which by reference hereto, is made part of these minutes.]

I hereby certify that the above order was passed and adopted
on 7/11/2017.

CATHERINE VENTURELLA, Clerk to the Board

By Melanie Curcio, Deputy.

Agenda Item

RENEWAL OF DECLARATION OF LOCAL EMERGENCY DUE TO FLOOD CONDITIONS IN KINGS COUNTY

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In accordance with Ordinance 6-7(A)(1), the Board ratified the proclamation.

The circumstances necessitating the renewed declaration of local emergency due to flood conditions are as follows:

- Storm systems in both January and February throughout California have resulted in large amounts of snow accumulation in the Sierra Nevada Mountains in the watersheds of the Kings River, the Kaweah River, the Tule River and Deer Creek, resulting in flood releases from Pine Flat Dam, Terminus Dam, and Success Dam and uncontrolled flood flows in Mill Creek, Dry Creek, Deer Creek, and other local streams, on both the east and west sides of the Valley.
- In order to prevent flooding of agricultural lands and public facilities in Kings County, including, but not limited to, public roads, farmers and local public agencies have joined together in pumping flood waters for diversion to areas of the County prepared for temporary storage of such flood waters, resulting in the diversion of over 80,000 acre feet of flood water.
- In the absence of such emergency diversion efforts, areas in Kings County would be flooded, including prime agricultural lands and public roads.
- Conditions of extreme peril to the safety of persons and property have arisen within the County of Kings caused by excessive precipitation and flooding, and local resources are insufficient to address the situation effectively.

The President of the United States made a federal emergency declaration on behalf of California for the February winter storm incident period. Damages that occurred in Kings County during the defined incident period may be eligible for reimbursement under the Stafford Act and Federal Emergency Management Agency (FEMA) Public Assistance. The President declared a Major Disaster Declaration for the Severe Winter Storms in California on April 1, 2017. Kings County Office of Emergency Management (OEM) assisted eligible applicants from the event in completing Requests for Public Assistance to the California Office of Emergency Services (Cal-OES) and FEMA which were submitted April 25, 2017. The Cal-OES and FEMA are processing those requests. Exploratory calls between eligible applicants, Kings County OEM, Cal-OES and FEMA have taken place. Recovery Scoping Meetings with the eligible entities took place on June 13, 2017, and the eligible entities are currently working with Cal-OES and FEMA to write up their projects for assistance. It is expected that this proclamation will remain in place while these entities seek assistance.

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

IN THE MATTER OF RENEWING
THE DECLARATION OF A LOCAL
EMERGENCY DUE TO
FLOOD CONDITIONS /

RESOLUTION NO. 17-012.5

WHEREAS, on March 1, 2017, the Kings County Board of Supervisors (“Board”) adopted Resolution No. 17-012, declaring a local emergency due to flooding within Kings County based on the excessive precipitation and flooding in multiple areas of Kings County since January 3, 2017; and

WHEREAS, although the rains have abated since February 23, 2017, throughout Central California, large amounts of snow have accumulated in the Sierra Nevada Mountains in the watersheds of the Kings River, the Kaweah River, the Tule River and Deer Creek, resulting in flood releases from Pine Flat Dam, Terminus Dam, and Success Dam and uncontrolled flood flows in Mill Creek, Dry Creek, Deer Creek, and other local streams, on both the east and west sides of the Valley; and

WHEREAS, in order to prevent flooding of agricultural lands and public facilities in Kings County, including, but not limited to, public roads, farmers and local public agencies have joined together in pumping flood waters for diversion to areas of the County prepared for temporary storage of such flood waters, resulting in the diversion of over 80,000 acre feet of water through February 28, 2017; and

WHEREAS, in the absence of such emergency diversion efforts, areas in Kings County would be flooded, including prime agricultural lands and public roads; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within Kings County caused by excessive precipitation and flooding, and necessitate the renewed declaration of the existence of a local emergency.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. Pursuant to Government Code section 8630, this Board hereby renews the declaration of a local emergency in Kings County.
2. During the existence of this local emergency, the powers, functions and duties of the Emergency Services Officer and staff shall be as prescribed by state law and by County ordinance and resolutions of this Board.

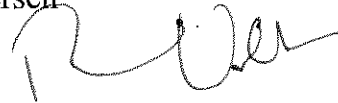
3. The Emergency Services Officer is hereby authorized and directed to consult and cooperate with federal and state officials about mitigating the conditions caused by flooding.

4. The Board of Supervisors hereby requests disaster assistance from the state and federal government due to flooding.

5. The County of Kings also requests the State of California to waive regulations that may hinder response and recovery efforts.

The foregoing resolution was adopted upon motion by Supervisor Neves, seconded by Supervisor Verboon, at a regular meeting held on the 11th day of July, 2017, by the following vote:

AYES:	Supervisors Neves, Verboon, Fagundes, Valle
NOES:	None
ABSENT:	Supervisor Pedersen
ABSTAIN:	None



Richard Valle, Vice Chairperson
Board of Supervisors, County of Kings

WITNESS my hand and seal of said Board of Supervisors this 11th day of July, 2017.



Deputy Clerk of said Board of Supervisors