

RESOLUTION 21-09
OF
RESORT IMPROVEMENT DISTRICT NO. 1 AND SHELTER COVE SEWER AND
OTHER FACILITIES MAINTENANCE DISTRICT NO. 1

PROCLAMATION OF A LOCAL EMERGENCY DUE TO DROUGHT

WHEREAS, the governing body of Resort Improvement District No. 1 and Shelter Cove Sewer and Other Facilities Maintenance District No. 1 (District) has the authority to proclaim a local emergency; and

WHEREAS, California Government Code Section 3100 states that all public employees are declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law, and the District needs to continue to provide water, wastewater electric, and fire and emergency services to its ratepayers, all of which are deemed essential public services; and

WHEREAS, any actions that the District may take to ensure the continuation of critical services to protect public safety and to provide for immunities that will protect the District for actions taken, as covered under the California Emergency Services Act; and

WHEREAS, with the support of the Humboldt County Drought Task Force created by the Humboldt County Board of Supervisors on May 25, 2021, the Board of Supervisors found that conditions of severe risk to the safety of persons and property and the integrity of natural and cultural resources have arisen within Humboldt County, including within the District, due to drought; and

WHEREAS, on March 5, 2021, the U.S. Department of Agriculture granted a Secretarial disaster designation for the County of Humboldt; on April 7, 2021, the U.S. Small Business Administration issued a Disaster Declaration in the County of Humboldt; on May 10, 2021, California Governor Newsom proclaimed a State of Emergency for drought in the County of Humboldt; on May 25, 2021, the Humboldt County Board of Supervisors established a Drought Task Force; on May 27, 2021, the Yurok Tribe declared a State of Emergency due to drought in the Klamath Basin and Yurok Reservation; on June 1, 2021, the Karuk Tribe declared a Climate Emergency in the Klamath Basin and Karuk Territory; on June 14, 2021, the Wiyot Tribal Council declared a State of Emergency on the Eel River, Mad River, Elk River, and Van Duzen River; on June 22, 2021, the City of Rio Dell declared a drought emergency; on July 13, 2021, the City of Trinidad declared a drought emergency; and

WHEREAS, the service area of the District is experiencing “Extreme Drought” conditions as reported on the U.S. Drought Monitor; and

WHEREAS, the entirety of the County of Humboldt is experiencing drought conditions ranging from "Severe Drought" to "Extreme Drought" as reported on the U.S. Drought Monitor; and

WHEREAS, prolonged drought conditions will have substantial negative impacts to the District's water supply, stream flows, natural, and cultural resources, public health, and wildfire risk; and

WHEREAS, working with the County of Humboldt, this proclamation authorizes the undertaking of powers and invoking and disseminating emergency orders (e.g., emergency orders, emergency spending authorities, emergency or pre-established contracting, order necessary Personal Protective Equipment, recovery, etc.) and regulations necessary to protect life, property and the environment; and

WHEREAS, this proclamation establishes that an emergency exists, and that if mutual aid of in-county resources are needed to assist the District, as covered under the California Master Mutual Aid Agreement and any local agreements to provide mutual aid should be sufficient to establish, and that the Emergency Services Act applies; and

WHEREAS, these conditions warrant and necessitate that the District proclaim the existence of a Local Emergency caused by drought.

WHEREAS, the District's General Manager and the District's Board of Directors declared the existence of a Local Emergency in connection with 2021 Drought in a regular public board meeting on August 19, 2021.

WHEREAS, the adoption of a resolution proclaiming the existence of a local emergency within the District's service territory by the District's governing board is necessary to ratify and adopt the emergency proclamation of its Board on August 19, 2021.

NOW, THEREFORE, IT IS HERBY PROCLAIMED that the Board of Directors of the Resort Improvement District No. 1 and Shelter Cove Sewer and Other Maintenance District No 1 hereby proclaims the existence of a Local Emergency due to drought and directs District staff to take the necessary steps for the protection of the District's water supply and the life, health, and safety of ratepayers and the people who reside and/or own property within the District.

IT IS FURTHER PROCLAIMED that during the existence of said local emergency, the powers, functions, and duties of the District shall be those prescribed by state law and by ordinances and resolutions of the District's Board of Directors.

IT IS FURTHER ORDERED that all departments of the District shall review and revise their department emergency and contingency plans to address the risks of the 2021 Drought poses to their critical functions in coordination with the District's General Manager and Fire Chief.

IT IS FURTHER PROCLAIMED AND ORDERED that Justin R. Robbins, General Manager, is hereby designated as the authorized representative of the District for public assistance.

IT IS FURTHER ORDERED that the District's internal departments shall coordinate District-wide planning, preparedness, and response efforts regarding the 2021 Drought with Humboldt County and other California State agencies as needed.

IT IS FURTHER PROCLAIMED AND ORDERED that this Resolution shall take effect immediately and that widespread publicity and notice shall be given said Proclamation through the most feasible and adequate means of disseminating such notice throughout the District.

BE IT FURTHER ORDERED that a copy of this Resolution be forwarded to Humboldt County to be forwarded to the Director of the California Governor's Office of Emergency Services.

PASSED AND ADOPTED this 19th day of August 2021 at a Regular Meeting of the Board of Directors of the Resort Improvement District No. 1, by the following vote:

AYES: Schad, Fox, Hargrave, Myers

NOES: None

ABSENT: Sommer

ABSTAIN: None

RESORT IMPROVEMENT DISTRICT NO. 1

By: Michael Schad
Michael Schad, President
Board of Directors

ATTEST:

Justin R. Robbins
Justin R. Robbins, Board Secretary